

relief program to feed those left homeless and without food by World War II. Perhaps his most far-reaching contribution was as the head of the State Department's policy planning staff in the Truman administration. Working under Dean Acheson and along with other influential thinkers such as Charles Bohlen and George Kennan, Nitze was the principal author of the National Security Council document, entitled "United States Objectives and Programs for National Security," but more commonly known as NSC-68, that provided the strategic outline for the conduct of deterrence during the Cold War.

Key insights from NSC-68 still ring true today.

For example, NSC-68 situated our strategy towards the former Soviet Union in a broader world context. It stated, in part:

Our overall policy at the present time may be described as one designed to foster a world environment in which the American system can survive and flourish. It therefore rejects the concept of isolation and affirms the necessity of our positive participation in the world community. This broad intention embraces two subsidiary policies. One is a policy which we would probably pursue even if there were no Soviet threat. It is a policy of attempting to develop a healthy international community. The other is the policy of "containing" the Soviet system. These two policies are closely interrelated and interact on one another. Nevertheless, the distinction between them is basically valid and contributes to a clearer understanding of what we are trying to do.

Paul Nitze continued to make significant contributions to our national security through the 1960s, as Secretary of the Navy under Presidents Kennedy and Johnson and Deputy Secretary of Defense under President Johnson.

President Nixon appointed Nitze to the U.S. delegation to the Strategic Arms Limitation Talks with the Soviet Union in 1969, and he played an important role in negotiating the ABM Treaty with Moscow during that time. Under Presidents Nixon and Ford, he served as Assistant Secretary of Defense for International Affairs.

During the term of President Carter, Nitze played a seminal role as an external critic of national security policy. His stature was such that his opposition to the SALT II Treaty negotiated by President Carter was an important factor in its failure to garner support in the U.S. Senate.

Yet, his reputation as a hard-liner on defense was too simplistic a characterization for his formidable intellect and ability to respond to new realities with new strategies to maintain U.S. security.

The most famous example, perhaps, of this characteristic was Paul Nitze's famous "walk in the woods" with his Soviet counterpart in arms control negotiations, Yuli Kvitsinsky. His informal proposal to put drawdowns in intermediate-range nuclear missiles in a broader context of arms reductions was considered too radical at the time, and was rejected by both sides. Yet, only a

few years later, a more comprehensive approach is precisely what both sides agreed to, for in 1987 the United States and the Soviet Union signed the so-called "double zero" agreement that limited all medium-range missiles in Europe as shorter-range missiles as well.

But perhaps the most important lessons we can learn is from the pattern of Paul Nitze's life and contributions. At this time, when the news headlines are dominated with stories of transitions and resignations from the Executive Branch, covered like a sports story of who's won and who's lost, the tendency is to think of those leaving public service as persons who have had their shot, and are not likely to be heard from ever again. I think that the example of Paul Nitze shows how much the United States stands to lose if we were to fall into such an unfortunate way of thinking with respect to public service.

I for one hope some of those who are now leaving public service will in the future find additional ways to serve their country, as Paul Nitze found ways to serve his country over many decades. I hope Paul Nitze's life and career will inspire all of us to a vision of how our Nation can benefit from the extraordinary expertise of its citizens who are willing to respond to the call to public service.

RECESS

The PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

EXECUTIVE SESSION

NOMINATION OF FRANCIS J. HARVEY TO BE SECRETARY OF THE ARMY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session for consideration of Executive Calendar No. 915, which the clerk will report.

The assistant legislative clerk read the nomination of Francis J. Harvey, of California, to be Secretary of the Army.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I rise today in support of the President's nomination of Dr. Francis J. Harvey to be Secretary of the U.S. Army. Dr. Harvey was nominated by the President to be Secretary of the Army on September 15, this year. The Armed Services Committee conducted a hearing on Dr. Harvey's nomination on October 6. The committee voted favorably on the nomination on October 7. At that meeting there was some expression in opposition by members of the

committee, but the majority of the committee voted in favor.

At the hearing, there was a fair exchange of viewpoints, recognizing that Dr. Harvey is coming to this position from outside of the Department of Defense and has, during the course of his distinguished career, not a specific opportunity to form opinions about some of the key issues that confront the U.S. Army today.

No one should underestimate the challenges that have been faced by the Army and in large measure have been met by the Army under the distinguished leadership of the Acting Secretary of the Army and the current Chief of Staff of the Army. I commend both of them, who are daily meeting the new challenges as they arise.

There will be today in the course of this debate, and I shall await other Members coming to the floor, expressions of opinion different from what I am providing the Senate today so I will wait until such time as they may appear and then seek under my time the opportunity to rebut their views.

At the hearing of the committee on October 6, I indicated that Dr. Harvey has had an extraordinary career—and I underline very extraordinary career—as a business executive with extensive experience leading and managing very large corporate enterprises, particularly program-based organizations involved in the development and deployment of technology and systems.

As the Army goes through its transformation, he will have the opportunity to provide unique decision-making ability given his experience in those areas.

Dr. Harvey has a solid record of achievement in the private sector in areas related to transformation, financial management, and contracting which, as I said, will serve him very well if confirmed by the Senate as Secretary of the Army.

At the nomination hearing, as those in attendance will recall, I went to some length to emphasize that there is another side to the Army and that is the human side. I was privileged at one time in my lifetime to be in the Department of Defense and to be Secretary of the Navy. It is not all contracts and negotiations and things of that nature; there is a very strong family side to each of the military departments. I referred to it in that hearing as the human side. That reflects the hopes and aspirations and patriotism of soldiers, sailors, airmen, marines, and their families.

The family today has an ever increasing role in the life of the uniformed member of that family, be he male or female. Families now are instrumental in the decision process by which members of the military at the time they are up for consideration elect continuing service, to retire, or otherwise step aside and join the private sector. It is often the decision of the family that controls that sailor, airman, marine, as he or she makes that decision.

I urged Dr. Harvey to travel as soon as possible to Iraq, Afghanistan, the Republic of Korea, in order to gain firsthand appreciation for the sacrifice being made by the soldiers and the stress being placed upon them and their families. Soldiers must be confident that the civilian leader of the department he represents is truly aware of their specific meanings and the emphasis on the family role.

The Army is facing a great challenge today for which there are few precedents in a long, distinguished history. Dr. Harvey assured the committee on October 6 he would undertake this mission of familiarizing himself with the people who make up the Regular Army, the Army Reserve, and the National Guard. It is extraordinary, with over 400,000 who have been in this particular cycle of conflicts in Afghanistan and Iraq from the Guard and Reserve.

At the hearing, Dr. Harvey committed that he would put people first. He emphasized that even as the Army carries out its responsibilities in the near term, it must also develop a future force that is better able to meet the challenges of this dangerous security environment by implementing the key element of defense strategy. He is committed to this transformation that has been laid down in the years previous by the Secretary of Defense, whom I commend for his undertaking and transforming the Army, and the Chief of Staff who currently serves and, indeed, the accomplishments to date by the distinguished Acting Secretary, Secretary Brownlee.

Before I yield, I will say a few words about Secretary Brownlee. I was privileged to have the services of Secretary Brownlee on my personal staff and as a member of the committee staff. I note that he served as the senior member of the Armed Services Committee staff, chief of that staff, at the time our distinguished late colleague Strom Thurmond was chairman. He was a superb combat soldier. He brought to his work on behalf of the Senate an extraordinary record of a highly decorated officer. He had a tremendous inner confidence in his ability to understand the men and women in the Armed Forces and to understand particularly those who are experiencing the stress of combat, wherever that may be in the world—an extraordinary man: Two Silver Stars, three Bronze Stars, and the Purple Heart. He was a marvelous staff director not only for Senator Thurmond but to me. He is highly revered and respected and always will be by the Senate as a whole.

Many colleagues came up to me during the course of the vacancy at the Secretary of the Army position in expressing hopes that he would be considered. Indeed, I talked to the Secretary of Defense on several occasions about it. On behalf of myself, most particularly, and other colleagues, I advocated consideration be given to him, but the Secretary and the President made a decision. I am urging the Senate to go

forward with that decision today and to confirm the nomination of Dr. Harvey.

I will yield the floor as I see the presence of my distinguished ranking member and the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, let me first suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, the Army's current situation is approaching crisis proportions. The Army is bearing the largest burden of the war in Iraq and of the larger war on terror worldwide as well as maintaining forward-deployed forces to deter a possible conflict in Korea. The intense operations and personnel tempo are having a severe impact on both people and equipment, and relief is currently not in sight.

There are nearly 270,000 soldiers deployed overseas in 120 countries. Soldiers make up 90,000 of the 135,000 U.S. troops in Iraq and 15,000 of the 20,000 in Afghanistan. The 495,000 active-duty soldiers have been stretched to the limit. The Army National Guard and Army Reserve soldiers have been called upon to shoulder the ever-increasing burden.

For instance, the first rotation in Iraq consisted of 75-percent active and 25-percent reserve component soldiers. In the current rotation, the Active Force has dropped to 61 percent and the Reserve Force has risen to 39 percent and the next rotation is projected to continue that trend, with about 57,000 percent active and 43 percent reserve.

This trend is simply not sustainable. Many reserve component soldiers are approaching their 24-month limit on active duty and many more will reach that limit as the war in Iraq drags on. The stress on reserve component soldiers, family members, and civilian employees will only grow worse, as Senator REED has pointed out to this body on many occasions and in the Armed Services Committee, has already had an adverse effect on reserve component recruitment, and greater problems are predicted for the future.

Further, as reserve component units have been mobilized, personnel and equipment shortages have been addressed by tasking other units to fill those shortfalls. This is a snowballing effect as those units that were tasked to provide personnel and equipment are then alerted and deployed to subsequent rotations and have to fill ever-increasing personnel and equipment shortfalls.

Ultimately, units lose cohesion and effectiveness as they are cobbled together from disparate pieces with peo-

ple who do not know each other, have not trained together, and are short of required equipment, or unfamiliar with the equipment provided.

This could have disastrous consequences, as evidenced by the leadership and performance failures witnessed in the 800th MP Brigade, a brigade formed in that manner during the Abu Ghraib incidents.

The Active component is and will be under increasing stress as the Reserve component commitments become unsustainable. The Army's 33 active combat brigades have all been deployed to Iraq or Afghanistan since those two operations began. Some units, including the 3rd Infantry, which led the initial attack into Iraq, have been alerted or deployed for a second 12-month combat tour. Two of these combat brigades had Iraq combat tours extended to 15 months last April during the Shiite uprising instigated by Moqtada Sadr. I understand that contingency plans exist to extend the combat tours of other Army brigades currently in Iraq to similarly build up troop levels prior to the Iraqi elections.

Army policy is that soldiers should have at least 12 months between combat rotations or 1 month for each month deployed. However, there are already soldiers who are returning to Iraq or Afghanistan, having left there only 9 to 10 months ago. And during those 9 to 10 months, the soldiers are working long hours to repair equipment and spending several months away from their families as they train in preparation for their unit's return to combat.

The Army is creating 10 additional combat brigades in an attempt to address the problems created by the high rotation rate. However, as the Army creates those additional brigades, it is reorganizing all of its brigades into brigade combat teams which are somewhat smaller than current brigades with respect to direct combat maneuver forces. Although the Army asserts that these brigade combat teams are more lethal because they have added artillery and reconnaissance assets that were previously located at the division level, it is not at all certain that the increased effectiveness that the Army expects from these redesigned brigades will make up for fewer combat troops on the ground. If more brigades than are currently deployed to Iraq and Afghanistan are then required to make up for the fewer number of combat troops in the new brigade structure, the operation and personnel tempo of the Active Force will not be much improved.

The Army is also addressing the personnel problem by imposing a stop-loss policy on soldiers in units alerted to deploy on combat rotations, forcing many to remain in the service well beyond their contracted time in the service. Additionally, the Army has had to recall over 5,600 members of the individual Ready Reserve, soldiers who have already served their contracted

Active-Duty time, for involuntary tours of duty. Clearly, many of the soldiers in the "All-Volunteer Army" are no longer volunteers. As several critics have pointed out, this can be considered tantamount to a "backdoor" draft.

The Army has also been suffering from the failure of the Department of Defense requirements generation and planning processes. The Department of Defense and the Army greatly underestimated the requirements for up-armored high-mobility multipurpose wheeled vehicles—Humvees—and individual body armor for the war in Iraq and Afghanistan, and have continually lagged behind in meeting those requirements, as well as requirements for armor for the entire truck fleet.

Similarly, the Army has had to implement a crash program to equip its helicopters with aviation survivability equipment. For instance, the requirement for individual body armor was originally limited to combat arms soldiers only, even though for years the Army has been predicting a battlefield where there would be no distinct front and rear areas and where support soldiers would also find themselves in combat situations.

The Army similarly failed to anticipate the need for armor for its trucks, again even though it had been predicting such a fluid battlefield. The Central Command requirement for up-armored Humvees was originally set at only 253. That requirement has been continually increased throughout the last year from 253 to 1,233 to 1,407 to 2,957 to 4,149 to 4,388 to 4,454, and now to 8,105. The Army and Congress have poured over a billion dollars in the last year into armor for trucks, but as of last month, the Army was still reporting a shortfall of \$380 million to meet its requirement for armored trucks, and that is simply unconscionable. There is no one in this Congress who would deny the Army the funding needed to meet its requirements for force protection.

However, force protection items are not the only funding shortfalls. The Army has had \$1.6 billion in equipment combat losses, \$1.4 billion of which are aviation losses. Much of that loss occurred in fiscal year 2003, and much of it has not been addressed in any of the supplemental appropriations bills to date because the Department of Defense did not choose to include all of those combat losses in its requests. This does not bode well for the Army as it continues its heavy engagement in Iraq.

Similarly, Army equipment repair and replacement is not keeping up with the increased wear and tear induced by such a high operations tempo. The Army's requirement for fiscal year 2003 was \$4.4 billion, of which none was funded. The cumulative requirement in fiscal year 2004 was \$11.1 billion, of which only \$3.4 billion was funded. If this trend continues at those emerging requirements and anticipated funding

rates, by fiscal year 2007 the Army cumulative equipment repair and replacement requirement will be \$28.8 billion, of which only \$12.1 billion will have been funded. At that point, the Army will face a \$16.7 billion maintenance backlog. This may have a severe impact on the Army's ability to sustain combat operations in the future.

Several months ago, the Army estimated that it would cost over \$20 billion to create the additional 10 combat brigades and reorganize the existing 33 in the Active Force into the new modular design. No estimate was provided Congress for the cost of similarly reorganizing the Reserve component. The Army expects the new and reorganized brigades for the Active Force to be completed by the end of fiscal years 2006 and 2007 respectively, and paid for through supplemental funding. It is my understanding that the Army, having received \$15 billion from the initial \$25 billion fiscal year 2005 supplemental appropriation provided by Congress, will send the Department of Defense a request for an additional \$45 billion, a fiscal year 2005 supplemental total of \$60 billion. Of this amount, only \$10 billion is expected to be for equipment. How far that will go toward meeting the Army's requirement is not clear at this time. Nor is it clear the Department of Defense will actually request that larger supplemental for the Army alone. Past history does not bode well for the Army in that regard either.

The challenges for the Army are huge, and the civilian leadership in the Department of Defense has certainly not been supportive of the Army's uniform leadership. In fact, it has often been hostile and vindictive. When General Shinseki, the former Chief of Staff, in answering my prewar hearing question concerning the troop level required for postwar stability and support, opined that it would take several hundred thousand troops, he was publicly ridiculed by the Secretary and Deputy Secretary of Defense and effectively sidelined. When Army Secretary White defended the Chief of Staff, he was fired.

Dr. Harvey, the nominee for Secretary of the Army, appears to have a wealth of industry experience but appears to have virtually no experience with regard to Army issues. In responding to questions for the record on his nomination before the Senate Armed Services Committee, Dr. Harvey answered one question concerning whether the Army had enough authorized Active-Duty end strength to sustain its commitments by saying he would use his "independent judgment and past experience" to determine the viability of Army initiatives to increase combat power and to "reach conclusions and make recommendations accordingly."

I have no reason to question his ability to make an independent judgment. I am concerned as to whether his past experience qualifies him to reach appropriate conclusions, under the circumstances which I have just outlined,

with an Army which is under so much stress and strain. I also question whether he would be willing to make recommendations contrary to the known positions of the Department of Defense leadership given the treatment received by his predecessors when they did so.

In answering a question concerning the problems in the Army's requirements generation and planning processes that resulted in such a large shortfall in individual body armor, armor for trucks, and aviation survivability equipment, Dr. Harvey said that his "current understanding is that the underestimation of the total requirement for armor protection for our Nation's service members was not the result of problems with the requirements generation process. The primary cause of the initial underestimation was a change in the hostile conditions under which military forces are now operating in Iraq."

Dr. Harvey apparently did not realize that is exactly the kind of hostile conditions which the Army for several years has been predicting for the future operational environment. It is an example of why I am concerned about Dr. Harvey's lack of experience as to whether he would be in a position to ask the hard questions and arrive at the appropriate recommendations under the very extraordinary and difficult circumstances in which the Army finds itself.

There are numerous challenges that the Army faces, and it would be preferable that the Secretary of the Army be one more knowledgeable of the service that he will lead.

Finally, I wish to comment on the comments of my good friend, Senator WARNER, about Les Brownlee. I thoroughly and totally concur with Senator WARNER's thoughts and feelings about Les Brownlee. He has served this Nation extremely well. He served our committee well before he went over to be the Under Secretary and then the Acting Secretary of the Army. I add my support for his service and for him personally on the RECORD today, as his former boss and employer has already done so eloquently and thoughtfully. I want to let Les Brownlee know, if he is listening, but more importantly let my friend, Senator WARNER, know that he was right on the mark when he expressed the thoughts he did about Les Brownlee.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I will yield the floor momentarily, but I do thank my colleague for his comments with regard to Les Brownlee.

I remember the privilege I had introducing him at the confirmation hearing before our committee as Under Secretary of the Army. I went back and reread that introduction. I said he represented a tower of strength, dedication, and expertise that few could match. And, indeed, he has shown that in his exemplary manner in handling

the very difficult challenges that have been presented by the conflicts in Afghanistan and Iraq. I thank my colleague for those remarks.

Mr. President, the distinguished ranking member and I are trying to advise our leadership with regard to a procedural matter. So at this time, I suggest the absence of a quorum and ask that it be charged to both sides equally.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I thank Chairman WARNER for his consideration in arranging this opportunity to discuss the nomination of Dr. Harvey to be the Secretary of the Army. First, let me say it is obvious Dr. Harvey is an admirable person with experience and skill. In my view, this debate is less about Dr. Harvey and more about the United States Army; whether he is prepared to take the necessary steps to respond to severe crises that affect the Army today. The Army is extended across the globe. The Army is engaged in Iraq and Afghanistan.

I just returned from a trip to both Iraq and Afghanistan. I have seen these magnificent soldiers serve us with distinction and courage, but it is a very stressful and demanding responsibility that each day they discharge, and, indeed, for the Army the stresses are beginning to build.

I think we have to recognize affirmatively that the Army must be bigger, not on a temporary basis but on a permanent basis. I think we also need to recognize the Army needs additional resources. Senator LEVIN, in his comments, pointed out the shortfall between the money the Army has estimated is necessary to recoup and repair their equipment and the actual funds they have available. If we do not address these issues, I believe we will begin to expose the Army to irreversible damage which certainly no one here in this body wants to see happen.

One inescapable conclusion of my trip to Afghanistan and Iraq is that we will be in these countries for years; not months but for years. The cost, the human cost and the financial cost to the country and to the Army particularly, will be substantial.

I have no doubt Dr. Harvey is a consummate professional. He is very skilled in managing organizations. I know he is committed to doing his best as Secretary of the Army, but I believe the Army needs a leader, not necessarily a manager. Also, I think we need an aggressive advocate for the Army. I hope that perhaps the result of this debate, if Dr. Harvey is confirmed, is that he will become that aggressive advocate for the Army. I know advocacy has to be appropriate. He has to

be loyal to his civilian superiors. But he has to be someone who will take the case of the Army to the Secretary and, if necessary, beyond. Also, I believe any Secretary of the Army has to be cooperative with this Congress. He has to respond candidly and directly to our questions and our comments.

One of the issues we all have as leaders is the necessity to speak truth to power on occasion. One of the observations I would make is that we have seen, in the experiences of General Shinseki and Secretary Tommy White, occasions where they gave us their best opinion and they effectively were punished for those views.

I think that is wrong. I think that attitude has to be corrected. That is another responsibility of the Secretary of the Army, to ensure that uniformed officers have the opportunity to express themselves appropriately and not fear retribution. All of us will benefit from the advice the uniformed officers of this country can so wisely give to us.

Secretary White was discharged many months ago as Secretary of the Army. It took a very long time for the Secretary of Defense and the President to nominate Dr. Harvey. In the interim we were extremely well served by Acting Secretary Les Brownlee. I don't have to add more than what the chairman and the ranking member have said about the qualities of that individual. I just had the privilege about 10 days ago to be with Secretary Brownlee up in West Point where he represented the Army at the Board of Visitors meeting. He is a consummate professional, someone who has rendered extraordinary service to the Army and to the Nation. But one of the issues I find somewhat disturbing is that even though we were well represented by Secretary Brownlee, it took so long for the Secretary of Defense to nominate a permanent Secretary. I think that I can put it this way: I find that doesn't suggest the importance the job must bear. That is another reason I found it somewhat unusual, at the very end of our session, before the election, there was a sudden rush to confirm Dr. Harvey.

I had the occasion to speak with Dr. Harvey.

Mr. WARNER. Mr. President, in the interest of accuracy, I wonder if the Senator will yield?

Mr. REED. Yes.

Mr. WARNER. I know you want to be accurate. You are known on the committee as being a very accurate person, but you know the Secretary of Defense did forward the name of Secretary Roche, Secretary of the Air Force, to the Senate. Therein we discovered other situations that dictated in good, common sense that nomination should be withdrawn. But it did show action by the Secretary, and I wanted that part of the record.

Mr. REED. I thank the chairman. I reclaim my time, and I thank him for that important and accurate input. I think, though, we have been so many

months without a Secretary, and even when the nomination of Secretary Roche seemed to be in doubt, there was not the kind of response I thought necessary to show we had a permanent Secretary in place.

Then, of course, Dr. Harvey was nominated in July. The chairman is absolutely right. After it became apparent that Secretary Roche would not lead the Air Force—but, July until, again, September or October, there was no movement to get someone confirmed in an office that is vital. The chairman is correct. He is entirely accurate and I accept that gratefully.

One of the real issues that we have to deal with is the situation in the Army, and I think there are three areas that are of critical importance. First is end strength. Senator LEVIN has spoken to that. Second is the recapitalization issue, how do we repair this equipment and how do we buy new equipment. Again, Senator LEVIN has talked to that. Finally, there is this issue of leadership, of making sure that the Army is accountable to its peers in the legislative branch, accountable to Congress, and accountable to the values that we have all seen as the hallmark of the military.

These are critical issues that the next Secretary will have to address.

On the issue of end strength, during the last several months it has become increasingly clear to me, at least, that the Army needs to increase defense. It needs more Active-Duty soldiers in its ranks.

Since 1989, the Army military end strength has been cut by more than 34 percent, and civilian end strength by more than 45 percent, while undergoing a 300-percent increase in mission rate. That is not illogical.

At the end of the Cold War—1989–1990—with the vanishing of the Soviet threat, the notion that we needed a heavy-armored corps in Europe to stop the potential thrust into Central Europe was no longer operative. So the Army was reduced. That logic was apparent.

Then mission rate began to increase not just a few years ago but through Somalia, Haiti, and the Balkan threat. Just as there was logic in the early 1990s to reduce the size of our Army, I believe there is a compelling logic today to increase the size of our Army.

For the past several years, the Army end strength has been virtually constant at 418,400. In December 2001, for example, with the 482,400 end strength, there were about 100,000 Army personnel stationed abroad. Today, there are about 330,000 Army personnel stationed abroad.

You can see the tremendous increase in demand for these troops to be taken from home stations and deployed overseas.

Similarly, in 2004, 26 of the Army's 33 active combat brigades were deployed overseas at least once, and in 2003 and 2004 all 33 of the active Army combat brigades will have been deployed.

We all recognize that our operations in Iraq were conducted by extraordinarily brave troops, and extraordinarily effectively in the opening phases. In a matter of days, the Iraqi military was destroyed. Saddam was toppled from power. Then we began what in retrospect was the most critical part of the campaign—the occupation and reestablishment of civil society in Iraq.

One of the aspects of this phase is the growing recognition that it was not well planned. And we are indeed paying for that in terms of American military on the ground. Mistakes were made in the planning process.

According to a recent article in the *Philadelphia Inquirer*, when a lieutenant colonel briefed war planners and intelligence officers about phase 4-C—not the combat but the occupation operations, both civilian and military operations after the battle is won—he was briefing them in March 2003. But he was a little bit reticent because the slide he had simply said this: “To be provided.”

We did not have good plans to occupy the country of Iraq. Today, we are paying for that lack of planning.

The same *Philadelphia Inquirer* article pointed out that it is not because we didn’t recognize there were potential problems in Iraq, but in the words of the article, there was a “foot high stack of material” discussing the probability of stiff resistance in Iraq. A former senior intelligence official stated, “It was disseminated. And ignored.”

But we see at least some indication of the difficult path ahead when the office referred to the comments General Shinseki made in February 2003. Senator LEVIN asked him how many troops it would take. He said, “Something on the order of several hundred thousand soldiers.” He was immediately castigated by Secretary Rumsfeld, saying this estimate was “far from the mark.” Secretary Wolfowitz called it “outlandish.”

And, once again, it raises another challenge for the next Secretary of the Army to deal with.

How do we ensure that military officers will give their best advice and not suffer adverse consequences when they are asked by the Congress? We have a role to play. In fact, I think when many of us looked back, we hoped we had played a more significant role, particularly about the postwar occupation of Iraq.

I think it is important for this next Secretary to develop a situation where these officers feel confident of being candid with their superiors in uniform and with Members of Congress.

I know it has been pointed out that General Shinseki already had announced his plans to retire, or the Secretary had announced his plans for him. But, nevertheless, I think the treatment he received after his candid response to the committee was shabby and not comparable with the service

this gentleman rendered the U.S. Army and the Nation.

We understand, given the occupation unanticipated in many respects, we are going to require a significant number of soldiers in Iraq. This, again, should not come as a surprise to many people.

This chart is illustrative. It basically compares the ratio of soldiers in Iraq with historical records. The first line—the blue line—is the occupation of Germany. Again, we had huge numbers of soldiers on the ground in Germany. The red line shows the troop level for Japan. The next is the Somalia level, then Haiti, and noticeably the successful operations in the Balkans. This horizontal line represents our troop levels in Iraq today, 142,000.

History should have shown us that we would need a much larger Army to carry off this occupation in Iraq.

You might say, Well, we succeeded in Japan. But we succeeded by essentially preempting the entire Japanese Government. Once the Emperor made his fateful visit to General MacArthur and bowed to him, our problems with insurgency and rehabilitation of the Japanese were all but over. It took years but not militarily successful; again, in Somalia and Haiti. In Somalia, we left abruptly without a great deal of grace despite the courage of soldiers who performed magnificently there. Haiti might be a special case. But it should be clear that we need more troops on the ground.

If you need more troops on the ground, then you just simply need a larger Army.

That is something that we have to confront. That is just one.

Last summer, Secretary Rumsfeld asked the Defense Science Board, an independent group of experts, to study the transition from hostilities. Do we need more troops or less? Can we rely on technology or troops? They took a comprehensive look at missions and initiatives to reduce strain on the Army. Again, these are very sophisticated individuals selected by Secretary Rumsfeld. Their conclusion:

A smaller force may be needed to defeat opponents than that needed for stabilization and reconstruction operations. Technology has not had the same leverage in stabilization sales and reconstruction that it has in conflict. Warfighting transformation is not likely to save manpower needed for stabilization and reconstruction.

Consistent with history, consistent with what military officers tell us and presumably telling the Department of Defense, we need more troops for operations such as stabilization operations.

We also understand that there are roughly 138,000 troops stationed in the country today. And in anticipation of the election, in January the Pentagon announced they were going to try to increase that size.

Again, I think the inescapable conclusion from history and from uniformed military leaders candidly telling us their best judgment and from the result of the Defense Science Board

is that we need more troops. We need a larger Army for these missions.

But there are other issues that should suggest to us that we could use more troops effectively. We recently heard about a huge ammo dump that was discovered. It was apparently looted, and apparently unguarded for many months.

When I was in Iraq traveling with the chairman and ranking member in July, we were in Kirkuk. I was amazed to hear a general of the 4th Infantry Division talk about the hundreds and hundreds of unsecured American ammo dumps. I don’t believe they were unsecured because we believed there was no danger. It is simply because they did not have sufficient forces then to guard every ammo dump. They didn’t have loyal Iraqi forces to support their efforts.

Again, we have seen a situation in the last few days where we have conducted very successful and very difficult operations in Fallujah. Once again, the courage of the marines and the soldiers has been extraordinary—house-to-house fighting, difficult fighting. They have endeavored and succeeded in many respects not only in taking valuable terrain but also sparing innocent civilians with extraordinary demonstration of courage and skill.

But as they reduce Fallujah, the insurgents again move operations into Mosul and Bogoba. They span out and spread out and hit us. Frankly, one of the reasons they were successful in Mosul was because there was no significant American forces there. And the local police—some fought valiantly and a few others disappeared. Over a period of time, the whole town was under the control of the insurgents.

When we went into Mosul and started injecting American forces and more reliable Iraqi forces, they now hit Bogoba and other parts of the Sunni triangle. That is another strong suggestion that more American forces might be useful in country.

Finally, the borders of Iraq remain very porous. Smuggling is a venerable tradition in that part of the world, and the smuggling trade continues to operate.

Could we use more troops? Yes. The administration and the Department of Defense have said that our future and our salvation is with the Iraqi security forces. I believe they are right, but that is the long term. That is years from now. We are training an Iraqi national army force. And, frankly, the training is at the level of squads and platoons. They haven’t reached the level of companies or battalions that can effectively replace American units. They do not have the kind of equipment we have. The prospect of reliable, well-trained and well-disciplined Iraqi forces is many months if not years away.

We have a large number in Iraq already. Some might say: Goodness gracious, you have a bigger army than the

130,000 troops that are there right now—140,000 troops. But I don't think people recognize that the troops that are deployed are just, if you will, the tip of the spear. They are behind in administration, behind in troops that are training there, and there are troops that are recovering from being there.

It is important to recognize that even though there are roughly 140,000 troops in Iraq, it is clearly tasking our Army.

An observer of the scene, former Army officer Phillip Carter, tried to put this in perspective. Even the simplest military task, such as moving a unit from point A to point B, requires a Herculean logistical effort. Planes have to be scheduled; trains have to be contracted and loaded; ships must be diverted and filled with equipment. Just consider what it takes to move a single tank company from Fort Stewart to Fallujah. Soldiers have to spend days inspecting and packing their vehicles before loading them onto trains to take them to port. The trains will be met by more soldiers at dockside, who will work with longshoremen and contractors to put the tanks on a ship. Then the ship has to sail across to Kuwait where it will be met by more troops and contractors. Only then can they roll them north to Iraq. Moving one tank company costs a fortune and requires hundreds of people.

Now imagine you want to move an entire unit such as the 3rd Infantry Division with hundreds of tanks and thousands of other vehicles. The size and complexity of the task is staggering. It may cost as much as \$1 billion to send a division to Iraq. And it can't be done quickly.

Major bases in the United States have a finite "throughput" capacity, meaning that they can only squeeze so many pieces of equipment out the door any given day.

The tip of this spear is in Iraq. But whatever we have there, we need many more back here, again raising, I think, the obvious need for additional end strength for our Army.

In January 2004, LTG John Riggs, in charge of the Army of the future, stated:

I have been in the Army 39 years, and I've never seen the Army as stretched in that 39 years as I have today.

In July, LTG Jay Garner, who was the Bush administration's first generation in postwar Iraq, stated:

I think people are worn out, equipment is run down, and we've overstressed the reserves. We're drastically short [of] infantry and MPs because the Army is too small.

But all of this seems to have not made an impression on the Department of Defense with respect to the need to increase the size of the Army.

I think it is not just a question of numbers. It is a question of the stress being borne by soldiers and their families.

Approximately 16,000 Active-Duty soldiers have had two tours in Iraq, and if they stay in the service longer, they will have another.

That is a very significant statement.

In June of 2004, DOD projected that over the next 3 to 5 years it will continuously have 100,000 to 150,000 Reserve component members mobilized.

It has been estimated that if we do not increase the Army size, forces that have already been deployed to Iraq will have to return two more times. Mr. President, 3,600 troops normally stationed in Korea to protect us against North Korea, a country that arguably is a dangerous threat to us with their nuclear weapons and their mentality, have been redeployed to Iraq.

On July 6, the Defense Department stated it was calling up 5,674 members of the Individual Ready Reserve soldiers who have completed active duty, were in an 8-year period to be recalled, and they are being recalled, but they do not drill on a regular basis and some have not put on a uniform in 3, 4, 5, 6 years.

The DOD also implemented a series of stop-loss policies, what some might call a backdoor draft. Since September 11, DOD has announced six stop-loss policies for the Army, two for the Navy, five for the Air Force, and two for the Marine Corps. Only the Army still has a stop-loss policy, which means, effectively, once the unit is alerted, until 90 days after they return, that individual soldier cannot leave the Army even if his enlistment is up. These tours are increasingly longer. It is not just 12 months in-country; it is also the training beforehand and the demobilization after.

As many have pointed out, a great burden is falling on our Reserve and National Guard units. Men and women who have full-time jobs, men and women who have families far away from their mobilization point. Today, frankly, we cannot meet our requirements in the Army without the Guard and Reserve. These are extraordinarily talented, consummate professionals. The citizen soldiers have done a remarkable job for us, but the strain is immense on the Reserve and National Guard, once again suggesting we need a larger regular force. We have adopted all sorts of measures, stop-loss, relying heavily on the Reserves, but the underlying point which has to be confronted by the next Secretary is how do we increase permanently, with regular budget authority, the Regular Forces of the United States. The average mobilization for members of the Reserves and National Guard has increased to 342 days this year from 156 during the Persian Gulf, again corresponding to the increased reliance we are placing on the Reserve soldiers.

As we pointed out previously, the DOD mobilization authority states that the members of the Reserve component can be mobilized for no more than 24 months. Currently, 30,000 Reserve component members are up against this 24-month cap. But in 2005, indeed, a large portion next year will bump up against this cap. So we are using the Reserves and National Guard,

and they are performing well, but this underscores the need for a large regular force. A larger regular force is included in the budget, but not funded by emergency provisions through supplemental appropriations.

We are beginning to see, as a result of the stress on the Guard particularly, an erosion in terms of recruitment and retention. The Army National Guard ended fiscal year 2003 approximately 7,800 soldiers below the recruiting goal. Last month, the Army National Guard announced it expected to fall 5,000 short of the goal of 56,000 soldiers. A survey by the Army Research Institute for Behavioral and Social Sciences reported to us that more than one in three Army reservists plan to leave or transfer to the inactive reserve when the current enlistment ended; only a quarter will reenlist.

The Active Army made the reporting goal, but they did this by pulling forward one-half of the delayed entry program. Each year, they sign up young men and women who do not expect to report until the next year. In order to make the goal, they counted those soldiers in this year's accounting. So they start off essentially in a hole for this year because they cannot double-count those soldiers.

The other factor I see potentially damaging in the longer run, for the first time in a very long time, a small fraction of soldiers is being led into the Army who are normally rejected because of lower qualifications. It is roughly 2,000 out of 100,000, but that is a trend that certainly we do not want to see grow or continue, and it is illustrative of the need to make the totals because of the stress our military is under.

The other aspect is we are committed to making sure that the Army is there and we are trying to do that through incentives and bonuses, which puts additional financial stress on the budget of the Army. Again, this is something we can't avoid. That is the way we have to fund and maintain a volunteer force, but it is an issue in terms of long-term ability of the Army to find the resources so that they can pay these bonuses, they can pay the benefits, they can enlist the force.

One other final aspect of this issue of reliance upon a force which I believe is too small. We have seen, for the first time in a notable way in Iraq, reliance and overreliance on contractors—not contractors who do the mess halls. By the way, they are doing a magnificent job over there. The quality of life of soldiers is first-rate. But I am taken aback when I see private contractors providing security. We all recall that even Ambassador Bremer's security was provided not by military people but by private civilian contractors. That is another indication to me that we have to increase the Regular Army.

Part of this was a result of a plan that did not anticipate a long-term, intensive involvement in Iraq. As mentioned before, this has been pointed out

by others. In December of 2003, Jeffrey Record, of the Army's own Strategic Studies Institute, published a report that stated the ground force requirements in Iraq have forced the U.S. Army to the breaking point. He says the Army appears incapable of sustaining a commitment of 16 of its 33 active-duty combat brigades in Iraq absent a reduction elsewhere or expansion of its force structure.

Again, the Defense Science Board stated that current and projected force structure will not sustain our current projected globalization. There are inadequate total numbers of troops and a lack of long-term endurance. The board recommended adding troops or cutting back missions. It is very difficult to cut back missions.

I should point out that the board was aware of the attempts to reform the military, the modularity that is going on within the military. Again, this is a very positive development. I commend the Chief of Staff, General Schoomaker, and those who are trying to reforge the Army to be more efficient, but the Defense Science Board recognized these efficiencies and still stated that we need more troops.

We have in the Senate, with the cooperation of the chairman and ranking member, tried to do this. Again, going back a year or so ago, together with Senator HAGEL, we introduced legislation that would increase the Army by 10,000. It passed this Senate, but the Department of Defense objected to it, and it fell out of the conference report. We were successful in the last authorization to include an increase of 20,000 end strength, but once again the Department of Defense insisted that these troops be paid through emergency procedure.

We have to have a situation where the end strength is increased but it is also paid for through the regular budget process. My fear is that eventually it will get more difficult to pass supplementals. Senator LEVIN pointed out how the Army will rethink the demand of a significant amount of money next year in the supplemental for 2005. Yet even with that money they might not be able to sustain all their needs, equipment, or otherwise.

Unless we have an authorized end strength that is paid for through the regular budget process, we may end up leaving the Army in the lurch in the years ahead. When the budget comes down, the supplementals are not as robust, and they still have the missions and the troops they need to conduct those missions. That is a critical issue that the Secretary must address. I raised these issues with Dr. Harvey. He certainly listened attentively, but I received no commitment that he was going to move aggressively to do this.

The other issue of equipment, which has been addressed by the ranking member, is the Army has sustained 1.6 billion in equipment battle losses in Afghanistan and Iraq. Presently it has an unfunded requirement of 1.3 billion

for ammunition. The Army estimates a third of the equipment is either already in Southwest Asia or en route. In fiscal year 2005, approximately 1.6 million pieces of Army equipment will be sent back to the United States from Iraq and Afghanistan for repairs, upgrade, or replacement. The Army expects to need \$7 billion for this effort.

We have an extraordinary demand to keep Army equipment going, and the requests, so far, the supplemental requests have not met those demands. I personally believe we have to have a robust, dedicated fund from sources outside the Army so we can fund the simple recapitalization of the equipment needs of the military.

There is another aspect of the equipment demand. We have taken a great deal of equipment from the National Guard and forces in the United States, moved it overseas, leaving our National Guard back here with a fraction of their critical equipment. As my colleagues recognize, the National Guard plays a critical role in homeland security, a critical role in aiding States and localities with disaster assistance, and they are not only deployed overseas but many of the guardsmen left behind do not have the full complement of equipment—another issue we have to deal with.

I could go on at great length talking about recurring equipment needs. There are other examples that are critically important. Nearly all the equipment, for example, in our stockpiles in Southwest Asia has already been deployed forward. We do not have those robust stockpiles of equipment necessary if there is another contingency in the area. The only area where stocks appear to be untouched is Korea, which I think is a very prudent decision. This is another example of the issues we are facing in terms of equipment.

As we go forward, we have endeavored to provide the resources to our military to conduct the important operations overseas. In the past 17 months, President Bush has requested and Congress has appropriated \$187 billion for Afghanistan and Iraq. We also anticipate an additional request of \$70 billion in the next few weeks or months. We are spending a great deal of money, but still the needs of the Army are unmet. We have to provide for the needs. We have to provide for the necessary equipment.

We have a crisis in end strength. We have a crisis in recapitalization of equipment, and we also have an issue of leadership. I have stressed this before so I will be brief.

We have had two individuals serving the Army in this administration. General Shinseki and Secretary White were called upon to give their best views to the Congress. They did, and essentially they were punished for those views. That, to me, is not an effective way to use the offices of the Army or to get the kind of cooperation within the executive branch and the

kind of cooperation between the Congress and the military service that is so necessary. Again, I feel the inhibitions that resulted from that very dramatic public behavior might have prevented individuals from appropriately sharing with us information about the planning problems for postwar Iraq, about the need for additional forces, about the need for recapitalization of equipment. In the long run, it is a very destructive and corrosive force. The next Secretary has to deal with that on an individual basis and on a collective basis in the Army and within the Department of Defense.

Also, too, an issue that has concerned many, and one that we were shocked by, was the scenes of the Abu Ghraib prison, where individual soldiers have been held accountable, enlisted people, E-5s, E-6s, E-4s, but anyone who has read the reports and anyone who has been in the area in which the chairman has conducted it in a very professional and very courageous fashion has to understand that accountability does not stop here.

We have had numerous reports by the IG, by General Taguba, by General Kern, and by others which suggests at least people at ranks beyond non-commissioned officer have to be held accountable. Yet to date there has been no accountability, in my mind.

I was curious as to just simply who had the responsibility to press court-martial charges against some of the individuals notified in the report by General Karpinski. Now, that is, I am told no general officer can go before a court-martial without an IG report. The IG has conducted a report. I found out that the IG, General Mikolashek, is scheduled to retire in a few days. I don't know what the status of his report is, whether he forwarded it to the convening authority and whether the convening authority is taking steps. The convening authority is General Helmsley, who is the Reserve component commander. Colonel Pappas, who is out of the 5th Military Intelligence Brigade, and General Sanchez was originally the convening authority—he decided because of appearances, and I think appropriately, that he shouldn't be involved. It was then sent to General Bell, the USAREUR commander, and now it has been delegated to General Benny Williams. It seems to me in the course of trying to establish responsibility beyond the company grade level that we have not made much progress.

I believe the next Secretary of the Army has to deal with this issue directly because it would be unfortunate—more than unfortunate—if individual soldiers were punished and it appeared that seniors who might be culpable—not directly involved in brutality but for dereliction of duty or for failure to follow the law of warfare—simply walked away or were lost in the shuffle of paperwork and reports. That is the challenge this Secretary has to deal with because the essence, in my

mind, of a military officer is accountability and responsibility, and you do not get that by pushing reports and pushing paper and suddenly trying to make it go away.

Maybe I am just premature in my demands for some type of finality to this situation. I don't think so. Again, I believe the next Secretary of the Army has to establish a very simple rule: Soldiers are responsible for what they do and commanders are responsible for their commands. I hope that is done because, if not, all the issues I have talked about—the lack of troops, the need for new equipment and refurbishment of equipment—will pale in comparison if people can draw the lesson that only soldiers are punished and superiors are somehow able to escape, at least the opportunity to be held accountable.

Mr. WARNER. Will the Senator yield? He brings up a subject of great importance to the committee. Indeed, I commend the committee as a whole for the manner in which it pursued its look into this situation. We are awaiting what is described as maybe the final report—the Senator is aware of that—which is to be a compendium analysis of previous reports and such other factors deemed relevant.

There is also an outstanding request that I put to General Kern and his group in the course of the hearing that we would like to have them, once again, assess the full meaning of accountability as they use that.

I thank the Senator for raising the question. I assure him it is something I will continue as chairman in the coming Congress. This is a matter which the committee will once again address.

Mr. REED. Mr. President, I reclaim my time. Let me, once again, commend the chairman because he took a position that was very difficult.

Mr. WARNER. I thank the distinguished Senator. The ranking member was a full working partner, together with all Members of the committee.

Mr. REED. Let me add, honestly, without his sensitivity to the importance of this issue, to the long run values of the military, it would not have received any attention. I commend the chairman for continuing his efforts.

I just point out, all this might be coincidental. General Kern retired on Saturday, I believe. I hope the report and response is ready and en route to the chairman. I hope he, too, agrees with me that this is not an issue that we can ignore.

I must say also this is not just an Army issue. I think there was a tendency initially to portray this as the aberrant behavior of young soldiers. As we now know, there was much more complicated and high-level involvement. What involvement is still unclear, but we cannot walk away from this issue. And because the next Secretary of the Army will have so much authority with respect to reports, with respect to reviewing at least court-martial proceedings or involved in

these decisions, this issue has to be addressed. And that is one of the major challenges I think Dr. Harvey will address, I hope, if he is confirmed.

Let me again conclude by thanking the chairman not only for his leadership but for the gracious way he has helped today to illustrate these issues and to assist me in my presentation. I thank him. I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Virginia.

Mr. WARNER. Mr. President, before recognizing the distinguished Senator from Colorado, I would like to respond to two issues raised by our colleague from Rhode Island in the course of what I think has been a very constructive debate today.

The first is on the issue of end strength.

Senator REED has argued that the Regular Army—the active duty force—needs to be larger, and I would agree with him.

In the Ronald Reagan National Defense Authorization Act for fiscal year 2005, signed by the President on October 28, Congress required that the Army increase its active-duty strength by 20,000 soldiers over fiscal year 2004 levels.

The conference report, while noting that in a time of national emergency the President may direct even higher levels, specifically authorized an increase of 30,000 soldiers between 2005 and 2009.

These increased numbers reflect the recommendations of General Peter Schoomaker, the Chief of Staff of the Army, who is a great soldier. He has proven to be a superb Chief of Staff of the Army.

In the committee hearing on General Schoomaker's nomination last year, I recall very well the questions asked of him as to whether he thought that the Army needed to have more soldiers. General Schoomaker responded candidly that his intuition told him that he thought the Army needed to be larger.

He was right. Following his confirmation and appointment in August 2003, he has testified on several occasions about the end strength issues and communicated his views about what needs to be done to ensure the Army is prepared and ready in all respects for its current missions.

The Army laid out a plan to temporarily increase end strength by 30,000 over the next 5 years as it was transforming to "modular units of action."

General Schoomaker, for example, testified on November 19, 2003, in a full committee hearing on "Current Army Issues." I questioned him about the force level of the Army, asking General Schoomaker about whether we need additional troops.

His response was that as a result of stop-loss and stop-movement, which currently serves to ensure unit manning and cohesion, the Army was operating with 20,000 more soldiers in the regular Army than in 2002. He went on to emphasize that

the greatest move we can make is to get the proper utilization of the soldiers within the Army that we have authorized and we are paying for right now. This is going to require significant active-Guard and Reserve rebalancing and significant restructuring of policies that will give us access to more of the force that we are paying for and have on hand right now.

General Schoomaker reiterated this point in February 2004 when he testified with the Secretary of Defense on the President's fiscal year 2005 budget. General Schoomaker shared his "rain barrel" and "spigot" analogy with us in which he noted that because of the Army's current organization and composition, the Army cannot make use of the bulk of its manpower.

General Schoomaker has called for transformational changes in Army personnel planning, such as conversion of billets from military to civilian employees; he has advocated rebalancing of reserve and active skills to improve readiness; he has called for greater numbers of soldiers with essential occupational skills, and implementation of new technology. In doing so, he consistently has argued throughout the past year that precipitous increases in end strength were not the answer to the Army's readiness challenges.

In a recent interview last month, General Schoomaker stated:

We all agree the Army should grow. The issue is how to pay for it. Right now we have supplemental funding to increase numbers we're bringing in and retaining. . . . We are growing through increased accessions and retention. We have grown to 495,000 on active duty, up from 480,000 last year. We are making the Army as big as we can, as fast as we can. But paying for it is another issue.

In summary then, three points need to be made:

First, the Army is increasing in size. The Army active-duty strength on September 30 of this year was 499,530. That was about 17,000 above the authorized end strength for fiscal year 2004. The Army is projecting that it will meet the requirement to expand by 20,000 soldiers by the end of fiscal year 2005.

Second, while all agree that the Army is stretched, the Department of Defense has been clear that if the combatant commander in U.S. Central Command calls for more troops, he will receive them.

And, third, the cost of 10,000 additional active-duty soldiers has been estimated to be \$1.2 billion. It is essential that budgeting realities be taken into account and that the Army not be required to absorb additional soldiers "out of hide." To do otherwise would undermine General Schoomaker's critically important transformational vision.

I draw to my colleagues' attention that General Schoomaker, the current Chief of Staff of the Army, has addressed this issue. I questioned him in the course of the hearing on November 19 about the force level of the Army. I asked him how he felt about the need for additional troops. His response was that as a result of the stop-loss and

stop-movement which currently serves to ensure unit manning and cohesion, the Army was operating with 20,000 more soldiers in the Regular Army than in 2002.

In a subsequent interview last month, he stated:

We all agree that the Army should grow. The issue is how to pay for it.

The Senator from Rhode Island raised that point.

General Schoomaker went on to say:

Right now we have supplemental funding to increase numbers we're brining in and retaining. . . .

I think he has looked at this in a very responsible way, recognizing that the supplemental, hopefully, has cared for the immediate needs of the Army and will provide funds to implement the legislation the committee incorporated in the Ronald Reagan Defense Act of 2004 that we put through.

Also, the Senator raised a question about General Shinseki, and that is one in which I have been increasingly interested through the years. And actually, on this floor, I stated to the Senate that so much has been said about this distinguished officer's career and how he concluded, which I always thought was the regular way, that the Chief of Staff would step down at the conclusion of his term. But others have views about that, and I am not going to get into that.

I would like to put in the RECORD the colloquy between Senator LEVIN and General Shinseki on February 25, 2003, when he addressed this question of the forces that could be used or required. It is interesting to go back and read it because I think people have seized on this so often to refer to it as a basis for their observations. But here is what he said. Senator LEVIN asked the question:

General Shinseki, could you give us some idea as to the Army's force requirement for an occupation of Iraq following the successful completion of the war?

Bear in mind, the operation had not even started at that time, and this question was put to General Shinseki after all the chiefs had made opening statements. General Shinseki had put into the record his full statement and then testified in open session to most of that statement.

General Shinseki said: "In specific number, I would have to rely on combatant commanders' exact requirements," which is much what the President and the Secretary of Defense have said each time this issue is up. If the combatant commanders made requests, indeed he, the President, would consider it and, in all probability, meet those requests.

Then he went on. It is very interesting. He is a most distinguished officer, and I share the Senator's views about him. There are moments in our Senate career that we never forget, but I remember in the course of the confirmation of General Shinseki, our distinguished colleague from Hawaii, Senator INOUE, rose and gave one of the most magnificent speeches on the floor

of the Senate I have ever heard about any individual in the 26 years I have been privileged to serve here. I share in the full respect for this officer.

Here is what he said again to Senator LEVIN:

I would say that what has been mobilized to this point, something in the order of several hundred thousand soldiers, is probably a figure that would be required.

In other words, it was not a finite statement. It was more or less a generalized statement. He continued:

We are talking about post-hostilities control over a piece of geography that is fairly significant with the ethnic tensions that could lead to other problems.

That is showing a lot of foresight.

It takes a significant ground presence to maintain a safe and secure environment to make sure that people are fed, that water is distributed, all with the responsibilities that go along with administering a situation like this.

But he makes no reference at that point that he ever anticipated the level of insurgency, the infiltration of these terrorists from other nations to come in and fuel this fight.

In fairness to him, I think the exact text that he responded to that question, which, again, was referred to by my distinguished colleague, the ranking member, and myself today should be made a part of this RECORD.

I inquire of the Presiding Officer as to the time remaining under the control of the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia has 40 minutes.

Mr. WARNER. And the distinguished ranking member, I believe, has roughly an hour.

The PRESIDING OFFICER. The ranking member has 56 minutes.

Mr. WARNER. I notice the presence on the floor momentarily of our distinguished colleague from South Carolina and, indeed, the current junior Senator from South Carolina. I know the Senate is anxious to hear from both our colleagues with regard to the forthcoming retirement of our distinguished colleague, Senator HOLLINGS.

I also see my colleague from Colorado who desires to speak to the matter before the Senate. I say to the Senate that I think this debate and discussion among the members of the committee as relating to the nomination is about to come to a close, and subject to the ranking member's views, which I ask he provide the Senate at this time, I would like to give—how much time would the Senator from Colorado desire?

Mr. ALLARD. I request from the chairman 10 minutes. I probably will not use that amount, but if there is a minute or two, I will yield that back.

Mr. WARNER. I think the Senator from Oklahoma, Mr. INHOFE, wants about 5 minutes. Perhaps 15 minutes on this side, I say to my colleagues, is the remainder of the time we would seek on this nomination.

Mr. LEVIN. Mr. President, if the Senator will yield for a unanimous consent

request first. I am glad the Senator put in the RECORD the remarks of General Shinseki. I think they fully support what Senator REED was saying and what I was saying. I also ask unanimous consent at this point in the RECORD that the reaction of Secretary Wolfowitz to those remarks be printed. We will provide those for the RECORD, to the effect General Shinseki was widely off the mark and that it is hard to believe it would take more troops to occupy a country than it would be to win the war. I ask those remarks be made part of the RECORD. We will supply those remarks to the clerk, if that meets with the agreement of the Senator.

Mr. WARNER. I certainly would not impose any objection to a colleague wishing to expand the remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE STATEMENT OF U.S. DEPUTY SECRETARY OF DEFENSE PAUL WOLFOWITZ BEFORE THE HOUSE BUDGET COMMITTEE ON FEBRUARY 27, 2003

If I might digress for a moment, Mr. Chairman, from my prepared testimony, because there's been a good deal of comment, some of it quite outlandish, about what our post-war requirements might be in Iraq. . . .

But some of the higher-end predictions that we have been hearing recently, such as the notion that it will take several hundred thousand U.S. troops to provide stability in post-Saddam Iraq, are wildly off the mark.

First, it is hard to conceive that it would take more forces to provide stability in post-Saddam Iraq than it would take to conduct the war itself and to secure the surrender of Saddam's security forces and his army. Hard to imagine.

Mr. WARNER. Mr. President, I call to the attention of my colleague that this issue of General Shinseki's remarks has been and perhaps will continue to be debated and discussed.

But actually, on the floor of the Senate—and my recollection is it was last fall from this fall in connection with the conference report—I said to the Senate that I had asked repeatedly of the Army, of members of the Army: Was there any staff work done on this issue of the troop levels required in a post-conflict situation, either in the Department of the Army or in the joint staff? I urged that that be forthcoming and that information be given to the committee.

To the best of my knowledge, no one has come forward to show any staff workup that provided the basis for the General's reply. As I point out, the General did not, in the course of these opening remarks, in a prepared statement, make any reference to that. As a matter of fact, he was supportive of the figure that was in the budget.

Mr. LEVIN. If the Senator will yield, though, again, for a comment on that.

Mr. WARNER. Yes.

Mr. LEVIN. If there was no staff workup on that issue, it would be shocking. There surely should have been staff work on the question of how many troops it would take to secure a country after its occupation. There

have been a number of press reports to the effect that there in fact were some assessments as to how many troops, but I have never seen that assessment. If it did not exist, it would be pretty serious mismanagement, it seems to me, and if it does exist, we ought to get a copy of it.

Either way, I think General Shinseki was mistreated. He was the subject of calumny, almost, inside the civilian part of the Defense Department, for expressing an opinion.

I know my friend, the chairman, would agree with me that when a military officer is asked a question, he is required by a commitment that he makes to us when he is before us for confirmation to give us his honest professional judgment, and he was pressed by me to give us that judgment. He said he couldn't be specific, and then I pressed him to give us a range and he said: Several hundred thousand. The reaction to that amongst the civilians is that is widely off the mark. He paid a price he never should have paid for giving an honest opinion to a congressional committee.

Mr. WARNER. You address this thing in a very broad context, which you are free to do. I was very specific. When he said several hundred thousand, I inquired as to whether there is any document, either in the Department of the Army or the joint staff, which supported that several hundred thousand individuals would be needed in a post-conflict situation.

Mr. LEVIN. Is there a document that supports 130,000 would be needed? I would like to see a document that supports any analysis of what would be needed. That is the problem with the failure to plan for the aftermath. It is that there was no plan for the aftermath. If there is a document that says 130,000—and maybe my good friend from Rhode Island has the document we are referring to?

Mr. REED. I don't have the document, but an article in the Philadelphia Inquirer of October 17, 2004 made several references. First:

Franks' Central Command did have an extensive plan to restore order and begin rebuilding the country, called Operation Desert Crossing, said retired Marine Gen. Anthony Zinni, who drew up the plan and updated it continuously when he led Centcom until 2000. It was never used.

Further in the story:

Central Command originally proposed a force of 380,000 to attack and occupy Iraq. Rumsfeld's opening bid was about 40,000, "a division-plus," said three senior military officials who participated in the discussions. Bush and his top advisers finally approved the 250,000 troops the commanders requested to launch the invasion. But the additional troops that the military wanted to secure Iraq after Hussein's regime fell were either delayed or never sent.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Oct. 17, 2004]

THE IRAQ WAR: MISCALCULATION AND MISSTEP
WASHINGTON.—In March 2003, days before the start of the U.S.-led invasion of Iraq, American war planners and intelligence officials met at Shaw Air Force Base in South Carolina to review the Bush administration's plans to oust Saddam Hussein and implant democracy in Iraq.

Near the end of his presentation, an Army lieutenant colonel who was giving a briefing showed a slide describing the Pentagon's plans for rebuilding Iraq after the war, known in the planners' parlance as Phase 4-C. He was uncomfortable with his material—and for good reason. The slide said: "To Be Provided."

An Inquirer Washington Bureau review of the Iraq policy and decisions of the administration has found that it invaded Iraq without a comprehensive plan in place to secure and rebuild the country. The administration also failed to provide about 100,000 additional U.S. troops that American military commanders originally wanted to help restore order and reconstruct a country shattered by war, a brutal dictatorship, and economic sanctions.

In fact, some senior Pentagon officials had thought they could bring most American soldiers home from Iraq by September 2003. Instead, more than a year later, 138,000 U.S. troops are still fighting insurgents who slip easily across Iraq's long borders, diehards from the old regime, and Iraqis angered by their country's widespread crime and unemployment and the United States' sometimes heavy boots.

"We didn't go in with a plan. We went in with a theory," said a veteran State Department officer who was directly involved in Iraq policy.

The military's plan to defeat Hussein's army worked brilliantly and U.S. troops have distinguished themselves on the battlefield.

However, the review found that the President and many of his advisers ignored repeated warnings that rebuilding Iraq would be harder than ousting Saddam Hussein, and they tossed out years of planning about how to rebuild Iraq, in part because they thought pro-American Iraqi exiles and Iraqi "patriots" would quickly pick up the pieces.

The CIA predicted up until the war's opening days that the Iraqi army would turn against Hussein, which never happened.

This report is based on official documents and on interviews with more than three dozen current and former civilian and military officials who participated directly in planning for the war and its aftermath. Most still support the decision to go to war but say many of the subsequent problems could have been avoided.

Every effort was made to get those who were interviewed to speak for the record, but many officials requested anonymity because they didn't want to criticize the administration publicly or because they feared retaliation.

President Bush and top officials in Secretary of Defense Donald H. Rumsfeld's office did not respond to repeated requests for interviews. They have publicly defended their plans for the invasion and its aftermath, and now some top officials are blaming the CIA for failing to predict the messy aftermath of Hussein's fall.

The United States and interim Iraqi Prime Minister Ayad Allawi are now taking steps to defeat the Iraqi insurgency and will have national elections in January. They have negotiated an agreement to disarm some of the militia led by radical Shiite Muslim cleric Muqtada al-Sadr and are pressing an offen-

sive against Sunni rebels. After more than a year of internal squabbling, U.S. military commanders, intelligence officers, and diplomats in Baghdad are acting as a team.

But the hole created by the absence of an adequate plan to rebuild Iraq, the failure to provide enough troops to secure the country, the misplaced faith in Iraqi exiles, and other mistakes made after Baghdad fell is a deep one.

"We've finally got our act together, but we're all afraid it may be too late," said one senior official who is engaged daily in Iraq policy.

The Bush administration's failure to plan to win the peace in Iraq was the product of many of the same problems that plagued the administration's case for war, including wishful thinking, bad information from Iraqi exiles who said Iraqis would welcome U.S. troops as liberators, and contempt for dissenting opinions.

However, the administration's planning for postwar Iraq differed in one crucial respect from its erroneous prewar claims about Iraq's nuclear, chemical and biological weapons programs and links to al-Qaeda.

The U.S. intelligence community had been divided about the state of Hussein's weapons programs, but there was little disagreement among experts throughout the government that winning the peace in Iraq could be much harder than winning a war.

"The possibility of the United States winning the war and losing the peace in Iraq is real and serious," warned an Army War College report that was completed in February 2003, a month before the invasion.

Without an "overwhelming" effort to prepare for the U.S. occupation of Iraq, the report warned, "The United States may find itself in a radically different world over the next few years, a world in which the threat of Saddam Hussein seems like a pale shadow of new problems of America's own making."

A half-dozen intelligence reports also warned that U.S. troops could face significant postwar resistance. This foot-high stack of material was distributed at White House meetings of Bush's top foreign policy advisers, but there's no evidence that anyone ever acted on it.

"It was disseminated. And ignored," said a former senior intelligence official.

The Pentagon's Defense Intelligence Agency was particularly aggressive in its forecasts, officials said. One briefing occurred in January 2003. Another, in April 2003, weeks after the war began, discussed Hussein's plans for attacking U.S. forces after his troops had been defeated on the battlefield.

Similar warnings came from the Pentagon's Joint Staff, the State Department's Bureau of Intelligence and Research, and the CIA's National Intelligence Council. The council produced reports in January 2003 titled "Principal Challenges in Post-Saddam Iraq" and "Regional Consequences of Regime Change in Iraq."

Unlike the 1991 Persian Gulf War, in which Iraqi troops were trying to maintain their grip on Kuwait, "they are now defending their country," said a senior defense official, summarizing the Joint Staff's warnings. "You are going to get serious resistance. This idea that everyone will join you is baloney. But it was dismissed."

Retired Army Lt. Gen. Jay Garner wasn't named to lead Iraq's reconstruction until January 2003 and didn't oversee the first major interagency conference on postwar Iraq until Feb. 21, less than a month before the invasion.

At the Pentagon, the director of the Joint Staff, Army Gen. George Casey, repeatedly pressed Gen. Tommy Franks, the head of the Central Command, for a "Phase 4," or postwar, plan, the senior defense official said.

"Casey was screaming. 'Where is our Phase 4 plan?'" the official said. It never arrived. Casey is now the commander of U.S.-led coalition forces in Iraq.

Franks' Central Command did have an extensive plan to restore order and begin rebuilding the country, called Operation Desert Crossing, said retired Marine Gen. Anthony Zinni, who drew up the plan and updated it continuously when he led Centcom until 2000. It was never used.

The same officials who saw no need for a plan to secure and rebuild a defeated Iraq also saw no need to position thousands of U.S. soldiers, including military police, engineers, ordnance disposal teams, and civil affairs specialists, to begin taking control in Iraq even before the war against Hussein was over.

Long-standing Army doctrine calls for beginning reconstruction in freed areas of a country while fighting rages elsewhere. It also calls for a shift in military forces from combat troops to civil affairs, military police and the like.

"Unfortunately, this did not occur despite clear guidance to the contrary," Army Col. Paul F. Dicker wrote in an assessment.

Bush, Rumsfeld, and other top officials insist that their military commanders were given everything they requested, and Franks wrote in his book, *American Soldier*, that Rumsfeld supported his war plan.

Technically, that's accurate. However, three top officials who served with Franks at the time said the plan was the product of a lengthy and sometimes heated negotiation between the Central Command and the Pentagon, in which Rumsfeld constantly pressed Franks and other senior officers to commit fewer troops to Operation Iraqi Freedom.

At one point, Secretary of State Colin Powell, a former chairman of the joint chiefs, weighed in on Franks' side and helped persuade Rumsfeld to commit more troops, a senior administration official said.

Rumsfeld and his aides wisely wanted to keep the U.S. footprint in Iraq as small as possible, realizing that more troops would likely breed more Iraqi resentment, and they wanted a smaller, faster force that could overwhelm the Iraqi military before it could torch the country's oil fields, retreat into the cities and create a humanitarian disaster.

"There were different motivations by different people in this administration for going after Iraq, but they all came together . . . in a way that blotted out prudence and caution," said a senior intelligence official.

Central Command originally proposed a force of 380,000 to attack and occupy Iraq. Rumsfeld's opening bid was about 40,000, "a division-plus," said three senior military officials who participated in the discussions. Bush and his top advisers finally approved the 250,000 troops the commanders requested to launch the invasion. But the additional troops that the military wanted to secure Iraq after Hussein's regime fell were either delayed or never sent.

As a result, the two Army divisions that Centcom wanted to help secure the country weren't on hand when Baghdad fell and the country lapsed into anarchy, and a third, the First Cavalry from Fort Hood, Texas, fell so far behind schedule that on April 21 Franks and Rumsfeld dropped it from the plan.

Moreover, one senior military official said, there was a realization that fresh troops would eventually be needed to replace worn-out units in Iraq.

"We could not burn the candle on the Cav prematurely," he said.

Others said that civilian officials in the Pentagon were so convinced that these "follow-on forces" wouldn't be needed in Iraq that they thought they could withdraw 50,000

troops from Iraq in June 2003; 50,000 more in July; and a final 50,000 in August. By September 2003, Rumsfeld and his aides thought, there would be very few American troops left in Iraq.

Instead of providing a plan and enough troops to take control of Iraq, officials, advisers and consultants in and around the Pentagon and Vice President Dick Cheney's office bet on Iraqi exiles such as Ahmed Chalabi of the Iraqi National Congress, who assured them that Iraqis would welcome U.S. troops as liberators.

Gen. John Keane, the vice chief of the Army staff during the war, said some defense officials believed the exiles' promises.

"We did not see it [the insurgency] coming. And we were not properly prepared and organized to deal with it. . . . Many of us got seduced by the Iraqi exiles in terms of what the outcome would be," Keane told a House committee in July.

Rumsfeld's office "was utterly, arrogantly, ignorantly and negligently unprepared" for the aftermath of the war, said Larry Diamond, who was a political adviser in Baghdad from January to March of this year.

Douglas Feith, the Defense Department's number-three official, and former Pentagon consultant Richard Perle both acknowledged that their vision for post-Hussein Iraq included putting pro-Western exiles in power.

"We had a theme in our minds, a strategic idea, of liberation rather than occupation, giving them [Iraqis] more authority even at the expense of having things done with greater efficiency" by coalition military forces, Feith told *The Philadelphia Inquirer* last month.

Perle, in an interview, said he and others had for years advocated "helping the Iraqis liberate themselves—which was a completely different approach than we settled on."

"We'll never now how it would have come out if we did it the way we wanted to do it," he said.

The CIA, the Defense Intelligence Agency, and the State Department all warned that Chalabi was a charlatan, and the uniformed military dragged its heels in training exiles to join the fight against Hussein.

The battle over Chalabi was one of numerous bitter interagency fights about Iraq that Bush and his national security adviser, Condoleezza Rice, never resolved.

"I'm not going to put my thumb on the scale," Bush said at a White House meeting in which Chalabi's bona fides were hotly debated, according to an official who was present.

That left Pentagon officials to plow ahead with their attempt to position Chalabi and his militia, the Free Iraqi Fighting Forces, to take power after Saddam's fall.

Within 48 hours of their arrival in Baghdad in April, some of Chalabi's men, including members of his personal bodyguard force, began taking cars, bank accounts and real estate, said a senior military officer who received reports of the events. It became evident almost as quickly that Chalabi and other exiles had a larger political following in the Pentagon than they did in Iraq.

Intelligence officials now charge that Chalabi or some of his senior aides were paid agents of Iran's intelligence service, and that Chalabi or his security chief provided classified U.S. military information to Iran. Chalabi has denied the allegation.

Mr. WARNER. Mr. President, at this point I further ask unanimous consent to have printed in the RECORD testimony by General Franks in response to questioning by Senator LEVIN on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Senator LEVIN. Could you give us just a range of troops? I mean, would it be from 100-150,000 for many years? I'm not asking for any kind of precise figure, but what's your current best estimate?

General FRANKS. Senator Levin, that actually is not as hard to answer as it might seem. We have about 145,000 troops in there right now. As I have talked to commanders at every level inside Iraq, one finds that that footprint appears to us on the operational side to be about what that footprint needs to look like. There has been suggestion that perhaps there should be more troops, and, in fact, I can tell you in the presence of this Secretary that if more troops are necessary, this Secretary is going to say yes. We have talked about this on a number of occasions, and when the tactical commanders on the ground determine that they need to raise force levels, then those forces in fact will be provided. The Secretary may want to comment on that, but what we—

Mr. WARNER. That concludes the debate at this point. I wonder if Senator ALLARD and Senator INHOFE—I see Senator SESSIONS—we are trying, if I might, to acquaint my colleagues who have arrived on the floor—the distinguished senior Senator from South Carolina desires to speak to his forthcoming retirement. The senior Senator wishes to speak to that. Yet this issue has been fully debated by those who have been on the floor. I judge my colleagues here wish to take some time.

If my colleague could indicate that to me, I would like to allocate the time you would like to have.

First, Senator ALLARD.

Mr. ALLARD. Mr. Chairman, if I might have 10 minutes. I am not sure I would use that time, but I appreciate that.

Mr. WARNER. Other Senators?

Mr. SESSIONS. Mr. Chairman, I will be pleased—2 minutes will be sufficient to me.

Mr. WARNER. Let's say 5. He is the chairman on the subcommittee for the Army and I think that is important.

Mr. SESSIONS. I also have a 4 o'clock commitment I will need to be in.

Mr. WARNER. I say to the Senator from Oklahoma—

Mr. INHOFE. Mr. Chairman, if there is 10 minutes, I would like to have that. If not, I will downgrade that.

Mr. WARNER. I will leave that to the Senator's judgment. For the moment I will say 7 minutes. Is that agreeable?

Mr. INHOFE. That is agreeable.

Mr. WARNER. Does the Senator from Colorado wish to allow our distinguished colleague from Alabama to proceed?

Mr. SESSIONS. Mr. President, I ask if the Senator from Colorado will give me 2 to 3 minutes. I want to say a couple of things.

Mr. WARNER. For that purpose, I ask unanimous consent for the Senator from Alabama, to be followed by the Senator from Colorado, followed by the Senator from Oklahoma, to address the Senate in the confines of the time allocated.

Mr. ALLARD. That is all right with me. I yield 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I was present when Dr. Harvey came before the Armed Services Committee for the nomination hearing on his appointment as Secretary of the Army. As the hearing went along, I became more and more impressed with this extraordinary man. This is not the time to debate somebody's differing opinions about how General Franks and others should have handled the war in Iraq. They did a dadgum good job of it, as far as I am concerned, in achieving the victory over there and in Afghanistan also. There will always be people to second-guess it.

But Dr. Harvey has extraordinary experience of remarkable breadth. He has his B.S. from Notre Dame and Ph.D. from the University of Pennsylvania in metallurgy and materials science. He has been CEO of some of the country's largest corporations. He has been a COO of two high-tech startup companies in recent years. He is high-tech oriented. He is management oriented. He will bring those skills to the Department of Defense.

As he goes through it, he will be able to help us decide how big the Army should be and how the transformation should go forward to help us transform our great Army, which is doing magnificent work this very moment in a hostile environment in Iraq. He will help us make it better. I am convinced of that.

He is not a uniform man himself, nor should he be. He will bring his talents to bear to that subject. I am excited by his nomination. I believe he will do an outstanding job.

I thank Senator WARNER for his leadership and I yield the remainder of my time to Senator ALLARD and Senator INHOFE.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I have the utmost confidence in Dr. Francis Harvey and I do believe he will act on behalf of our men and women in the field. I think he has a sincere concern about what happens to them and that they have the adequate equipment and manpower and whatnot to do their job. Frankly, it boils down to the fact that we can always anticipate what the force size has to be. That has to be determined basically by the men in the field, the commanders in the field. To try to run a war out of the Pentagon is a mistake. I happen to be rising in support of the nomination of Dr. Francis Harvey for the post of Secretary of the Army because I think he understands that.

I will say a few things here to comment on Dr. Harvey's qualifications.

In addition to the time Dr. Harvey spent with us in committee hearings, I spoke with him individually on a variety of Army issues, critical not only to our overall national security but also

the citizens of Colorado. I believe Dr. Harvey to be fully qualified for this post. My distinguished colleague from Alabama, I think, went over some of his qualifications. I thank our distinguished chairman from Virginia for this timely debate and confirmation.

Let me first acknowledge the outstanding performance of the current Acting Secretary of the Army, Les Brownlee. Secretary Brownlee, together with General Schoomaker, the Army Chief of Staff, has successfully directed the Army through this time of challenge and change. The Army is leading our Nation in the global war against extremist terrorists, and is making giant strides in transforming warfighting, logistics, and business management capabilities.

Additionally, I know the Nation greatly appreciates the significant improvements in the quality of life of our Active Duty, Reserve, and National Guard soldiers. This includes our retirees, veterans, and dedicated spouses and families. I applaud Secretary Brownlee for these achievements and am thankful for his continued service to our country.

The challenges and pace of change in the Army remain steady and are top national priorities. Based on my conversation with Dr. Harvey, I am confident he has the right skills and experience to lead this next period of transformation. Dr. Harvey demonstrated a record of management success in both public and private enterprise that will enable him to develop prudent choices and solutions for several strategic Army outcomes. Among the key strategic evaluations are force structure and force sizing reviews in pursuit of Army transformation objectives; global posture and "mission needs" evaluations to improve Army mobility and responsiveness regarding future demands at home and abroad; and, finally, manpower studies to assess and balance both the military, civilian, and the Active-Reserve distribution of skills to ensure we are optimally employing our military personnel and resources. These critical activities will define the composition and capability of the U.S. Army for the foreseeable future, and will improve the recruitment, retention, and motivation of our men and women and families throughout the Army family.

Another high priority I covered with Dr. Harvey is the Army's commitment to, and funding for, our obligations to eliminate our chemical weapons stockpiles. The Army is the executive agent to carry out the chemical demilitarization and disposal program at various sites across the country. Unfortunately, the program is falling behind schedule and costing more money than originally planned.

Dr. Harvey's qualifications and experience are well suited to address the problems associated with the chemical demilitarization program. In my personal conversations with the nominee, and again in public testimony, I re-

ceived Dr. Harvey's assurances and commitment for Army leadership to pay close attention to and fix the problems within the technology and demilitarization programs at all of our chemical weapons facilities. I am convinced Dr. Harvey is as dedicated as I am to seeing the United States fulfill our chemical weapons treaty obligations.

Thank you, Mr. Chairman, for the opportunity to speak in support of Dr. Harvey's nomination. I believe Dr. Harvey is well qualified for the significant challenges facing him and I look forward to working with him to keep our Army the greatest the world has ever known.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator has 23 minutes, of which 10 minutes has been allocated to the Senator from Oklahoma.

Mr. INHOFE. Thank you, Mr. President.

First of all, let me address some of the things that have been talked about today. We have had a drawdown in the military, starting with the Cold War. When it was over, all of us heard so many people say the Cold War is over, we have no need to have the strength we had before. Then after the 1991 gulf war, the drawdown continued. The Army is on the right track right now to regain the manpower they lost during that drawdown. I agree with the Senator from Rhode Island, who has been concerned about the end strength. I have joined him in that, and feel the same way.

But I agree the drawdown in force that took place at the end of the Cold War went too far. We cut 365,000 troops, too many for the force we had. We should have stayed with the original number provided by General Powell during the first Bush administration.

During the Clinton administration, we took a procurement holiday that cost us dearly. Budgets were woefully inadequate to sustain our force. Readiness suffered. The euphoria was around the fact that "the Cold War is over," we no longer need this much military. We found out we were wrong. From fiscal year 1994 to 2001, we did not keep up with inflation. Defense spending lost \$430.2 billion in constant 2002 dollars. This was an average of \$53.8 billion a year. We are talking about a loss of that amount. The deterioration would have been \$53.2 billion greater if not for the Congress plus-up of the Clinton budget from fiscal year 1996 onward.

The Republicans gained control of both the House and the Senate in 1994. To turn this positive from fiscal year 1996 onward, it would have been \$58.1 billion or \$9.7 billion a year average.

The Democratic Congress had even reduced the Clinton request from 1994 to 1996 by \$4.8 billion, or \$2.4 billion a year average, and reduced the last fiscal 1993 year Bush budget request by a whopping \$8.1 billion.

The Republican Congress was able to flatten this trend by fiscal year 1997 and turn the trend upward from fiscal year 1999 to fiscal year 2004 but never recovered the shortfall.

When George W. Bush took office, the military readiness was in decline. We had not made the proper investment in modernization, readiness, and standard of living for our soldiers.

I know it is true. I chaired the readiness subcommittee of the Senate Armed Services Committee during that timeframe. We desperately needed to reorganize the military to cope with this post-world war era.

Just short of 9 months after taking office, George W. Bush was faced with 9/11. He was faced with mobilizing the military to protect the United States in a new kind of war, a new kind of war we never experienced before, one not properly dealt with by previous administrations, and one the military had not been funded to cope with.

We are now paying for that mistake. We have been playing catchup. We need to put the Army back on the right track. And General Shoomaker and Acting Secretary Brownlee have done just that. We are reorganizing the Army to retrain soldiers from skills needed in today's threatened environment to skills more appropriate to those threats.

We are adding 30,000 soldiers to the force and turning many noncombat jobs being performed by soldiers today into civilian positions.

We are stabilizing families and rotating units rather than individual soldiers through Iraq and Afghanistan.

We are accelerating equipment fielding to incorporate the latest innovations to defend against EIDs, the threat that we really didn't know about in years past.

We are committed to providing the Army with anything and everything they need, but we can't waste resources by throwing money at the problem. We have to respond to the requests of our leaders in the field. I think we have done that, and I am committed to making sure we continue to do that.

I am confident that Secretary Harvey, as has been said by so many people, will also continue to do that. I am confident he will be successful because he understands industry. Today, we need industry to give their best and as fast and as affordable as possible. It is important to have someone of Dr. Harvey's character and ability to provide the guiding hand and make this partnership between Government and industry work for the maximum benefit of our soldiers.

You have to keep in mind that is one of the serious problems we face right now. The number of defense contractors is about one-fifth of what it was 20 years ago. It is important that we have someone who understands industry, and certainly Dr. Harvey will be such a person.

We are playing catchup in the world. It is changing daily before our eyes.

The Army must reorganize and modernize.

How many people in America know we are sending our troops out many times with equipment that is not as good as that of our potential adversaries? In the area of artillery, five countries make a better artillery piece than we have, including South Africa. We found out from a very courageous general back in 1998 that in fact our best strike vehicles—F-15 and F-16—are not as good as some of the SU series being sold by Russia to many of our potential adversaries in the future. We must mobilize our Guard and Reserve in ways we haven't seen since World War II to fight this world war.

We have a great team to accomplish all of that. General Shoomaker and Dr. Harvey and Les Brownlee and the brave men and women of our Army, both uniformed and civilian. What a task they have and what a team we have.

Senator AKAKA and I are both veterans of the Army. We started the Army Caucus. Up to that time they had not been given the proper attention as to how we are reliant on our Army for our ability to sustain this war against terrorism.

I look forward to the confirmation of Dr. Harvey as the next Secretary of the Army, and support the Army's advice to end this war.

We want to give, I believe, 10 minutes for the Senator from South Carolina. Is there more than 10 minutes remaining at this time?

The PRESIDING OFFICER. At this time, the majority has 15 minutes remaining.

Mr. WARNER. Mr. President, does the Senator from Oklahoma desire additional time?

Mr. INHOFE. I will take only maybe 3 or 4 minutes.

Mr. WARNER. Mr. President, I yield to the Senator 3 more minutes.

Mr. INHOFE. Mr. President, a lot of things have been said about the condition of the soldiers in Iraq and about their attitudes. I can tell you that I don't think there is any Member of this body who has spent more time in Iraq and Afghanistan than I have. I hear statements of individuals. They are proud of the mission. They are proud of what they are doing. They have a spirit I have never seen before.

I would like to quote Secretary Brownlee. He said:

Some in this country have charged that the situation in Iraq is getting progressively worse. You who have been there know the truth, and so do the people of Iraq. Things are getting better, not worse. Though the insurgents have caused immense pain and suffering and delayed reconstruction efforts in some parts of Iraq, most Iraqis are looking at the future with hope, hope they lacked under the former regime.

These successes constitute significant milestones of which the people of our Nation should be proud and hopeful. But the fight is by no means over to ensure that Afghanistan and Iraq attain stability and success and the transition into the democracies is very key.

I think we have seen this with the election in Afghanistan. I personally was there when officials turned over to the Iraqis the training of the Iraqi National Army. I see the successes over there. The media has not done a good job and I feel they need to spend more time congratulating and talking about the great job we are doing.

As Mr. Brownlee said, the Army is decisively engaged in fighting terrorism. But our soldiers are also building alliances, training other militaries with tenets of democracy and civilian control, executing counter drug operations and providing disaster relief and humanitarian assistance. These missions are equally important to our national security. They help to increase mobile stability to prevent the development of serious crises and to demonstrate the goodwill of the American people.

In light of the potential for terrorism to spread, the Army remains committed to participate. That is exactly what they are doing.

I just got back from eight countries in Africa. There is a concern there. There is terrorism. As the squeeze comes in, terrorism is now infiltrating into the continent of Africa, and we are in the process of doing something with four brigades or five African brigades. So we will have them trained to face this when that time comes.

I see other Senators waiting.

I yield the floor.

Mr. ROBERTS. Mr. President, I rise today to offer my support for the President's nomination of Dr. Fran Harvey to the post of Secretary of the Army.

Our forces are deployed around the world as they have never been before. They are fighting hard and they are fighting well to defend Americans in the war on terror, and the Army is at the front line of that fight.

Gone are the days when massive and overwhelming force was all this country needed to ensure victory. The threats we face and the stresses they cause on our force require visionary solutions. Fran Harvey is the visionary we need at the head of our largest force.

Fran Harvey knows how to look at a large organization where the bureaucracy is an overwhelming force in its own right, and mold it to meet future threats. Dr. Harvey is a successful executive who has extensive experience in leading and managing large organizations, particularly program based organizations involved in the development and deployment of technology and systems.

He will bring a results oriented management approach to an organization where results matter more than anywhere else. As part of this approach, Dr. Harvey places major emphasis on business transformation through process improvement in combination with the application of information technology.

Fran Harvey's broad base of experience has been multi-dimensional in

terms of industries, functions, and markets. His industrial experience is very diverse and includes aerospace and defense, environmental and infrastructure, energy, government facilities management, communications and information systems and electronics.

Fran Harvey has the requisite experience to be Secretary of the Army, but what is more important, he is a visionary where long-term vision is badly needed. It is my great pleasure to support what I am sure will be a successful tenure leading our Army.

• Mr. SANTORUM. Mr. President, due to a prior commitment, I will not be able to vote in the Senate today on President Bush's nomination of Dr. Francis J. Harvey of California to be the next Secretary of the Army.

I wish to state for the record that, had I been able to cast my vote today in the Senate, I would have voted in favor of Dr. Harvey. As he noted in his appearance before the Senate's Committee on Armed Services, Dr. Harvey has experience in leading, managing and fostering change in large organizations. In addition, I also appreciate that Dr. Harvey has experience in the defense industry, experience that should help him as he oversees the Army's important process of transforming to meet 21st century threats.

On this last point, I hope that Dr. Harvey will devote considerable time and effort to the Army's transformation initiative. If the Army is to be a relevant force in future combat operations, it must have the resources and the commitment from senior leadership necessary to transform. This means that Dr. Harvey and others will need to fight for critical science and technology funds to enable key transformational programs, such as the Future Combat System, to succeed. While the Army does have current needs that require critical funds, it cannot sacrifice its future if it hopes to successfully transform.

In addition, transformation encompasses more than just equipment and weapons platforms. I am hopeful that Dr. Harvey will continue to make sure that we achieve the proper balance of skills located in the Active Duty with those located in the Reserve component. Too many Low Density/High Demand capabilities, such as military police and civil affairs, are found in Army's Reserve component. I am hopeful that the Army, under Dr. Harvey's leadership, will be able to strike the right balance so that Operational Tempo problems—highlighted by the war on terrorism—are not exacerbated.

Again, had I been present in the Senate today, I would have voted in favor of confirming Dr. Francis J. Harvey as the next Secretary of the Army. I wish Dr. Harvey good luck on his new responsibilities and duties as Secretary of the Army. •

Mr. CHAMBLISS. Mr. President, I rise today in support of Dr. Fran Harvey to be the next Secretary of the Army. I have met with Mr. Harvey and

discussed the responsibilities of this position with him, and I believe he is well qualified to lead the Army during this critical time.

As I stand here today, the U.S. Army is succeeding in the global war on terrorism despite continued stress on and transformation of the force. It is remarkable that the Army is succeeding to the extent that they are while—at the same time—undergoing a significant reshaping of the force. Many of my colleagues have suggested that a simple increase in the number of troops in the Army will solve the Army's challenges. While I believe that the Army does, at least in the near-term, need additional troops, I believe the Army's largest and most promising challenge is to continue transforming itself into a 21st century fighting force with 21st century tools and a 21st century management structure. I believe that Francis Harvey will help lead the Army in this direction.

As I see it, to relieve the stress on the force, we have to create a more flexible force, and I commend Secretary Rumsfeld on the steps he has taken to achieve this. To implement these reforms, the Army needs a leader who has experience with leading, managing, and reforming large organizations. Mr. Francis Harvey has that experience, and the necessary business acumen and results oriented approach to get the job done.

I have confidence in Mr. Harvey's ability to lead the men and women of the U.S. Army as they meet the challenges of the next decade. He will be an effective, forward-thinking leader who will take the Army where it needs to go in the coming years.

In closing, I would also like to recognize the outstanding leadership and contribution of the Acting Secretary of the Army over the last 18 months, my good friend Les Brownlee. Les has led the Army during an extraordinary time in the Army's history and deserves to be commended for his professionalism and his selfless service to our country and to the men and women of the U.S. Army.

Mr. WARNER. Mr. President, I wish to conclude this debate on the nominee. The nomination will be voted on, I am told, at 5:15, subject to modifications at that time.

I say in conclusion that I think we have had a very good debate on this nomination and also the serious issues affecting the Department of the Army. I think it has been helpful in many respects.

I am prepared to yield back all the remaining time which I have in the debate. I understand the distinguished ranking member is prepared to do likewise.

Mr. LEVIN. We yield back the remainder of our time.

Mr. WARNER. Mr. President, in that case, I yield the floor with the understanding that the distinguished colleague from South Carolina can now proceed as he desires with regard to a

very important set of remarks the Senate is anxious to receive. I say that in all sincerity.

I thank colleagues for their participation in this debate. I strongly urge Members of the Senate to vote for confirmation of the nominee. This particular individual who is nominated to be Assistant Secretary of Defense came before the Armed Services Committee. He was reported out favorably to the floor and had been waiting for some period of time for confirmation to that position. The Secretary of Defense made the decision to resubmit his name in connection with the Secretary of the Army.

I strongly urge colleagues to support this nominee. This is the nomination of the President of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Mr. President, I thank the chairman and Senator LEVIN for allowing us to use the time, and I appreciate it very much.

FAREWELL TO SENATOR HOLLINGS

Mr. President, the task at hand for me is a difficult one. I want to take some time to talk about my senior Senator, Senator HOLLINGS, who is retiring. Trying to do justice to his career is going to be a difficult task for me, but I will do my best.

I want the people of South Carolina to understand that whatever differences I may have with Senator HOLLINGS, they are political in nature. They have never been personal, and I cannot thank him enough for the time he has dedicated to the transition from the House to the Senate for our office. Senator HOLLINGS has been a tremendous benefit to me personally. He has made the transition from the House to the Senate very enjoyable. He has helped my staff. He has been indispensable in our getting started in the Senate. I want to thank him personally and thank him for the kindnesses he has shown to me.

Trying to follow Senator Thurmond and Senator HOLLINGS is a tough act. South Carolinians have relied on these two great gentlemen for literally my entire lifetime. With the retirement of Senator HOLLINGS, I think it is going to be hard to put in words how much he will be missed by the Senate and South Carolina.

But when you start talking about a man, trying to give tribute to him, I think the first thing you have to start with is what means most to that person, to the man himself, and to his family. His wife Peatsy is one of the most delightful people you ever hope to meet. She is beloved by the colleagues in this Chamber and their spouses on both sides of the aisle. She is a joy to be with. She is a lot of fun, and she has been a great soulmate to Senator HOLLINGS for many years. I know he is equally proud of his children. He lost a daughter. It is a terrible thing to have happen. He has four children and I think seven grandchildren.

For those people listening in South Carolina, the demands on one's time in this job are immense, and your family sacrifices in a variety of ways, whether it is going back home on the weekend to try to say hello to constituents or to be in a parade. I don't think we stress enough how important families are to Members. Senator HOLLINGS has enjoyed the support of a first-class group of family members who have represented South Carolina very well.

Wherever Peatsy Hollings goes, South Carolina goes, and there is no better way to be introduced in our State than to meet her.

Senator HOLLINGS' time in the Senate will be coming to an end. He has chosen to retire. It is a lifetime of public service that I will try to talk about in the next 10 or 15 minutes.

As his generation is noted for "The Greatest Generation," the World War II generation, he seems to have been there every time his State and his country needed him. He was a graduate of the Citadel. He graduated in 1942.

As you can tell by his accent, which is the ultimate low country accent, he is from Charleston. If you had to create an image of a Senator, he would be my model. He looks like a Senator and he sounds like a Senator, and he also acts like a Senator. I mean that in the highest form of a compliment.

He has represented my State since 1996 in the Senate but that is not the first time he has represented my State. It is not the first time he has served this country. As I mentioned, in 1942 he graduated from the Citadel. That was the class that got their diploma in the morning, got commissioned in the afternoon, and their orders the next day and they went off to fight a war. He is very emblematic of that generation. They never really had a chance to be young because the day they graduated college they went off to take on a vicious enemy.

People talk about 1-year tours and the stress it puts on families—that is true—but in World War II you signed up for the duration. You didn't know when you were coming home and you didn't know if you were coming home. You were coming home when the war was over, when Berlin fell and when Tokyo fell. His generation never enjoyed the benefits of getting out of college and being young men or young women because they had a tough task at hand at an early age.

Let it be said for Senator HOLLINGS and an entire generation, you handled the job exceedingly well. You rose to the occasion. You made the world free. If the Senator had done nothing else, that would have been a pretty good legacy for life. He went on to fight in north Africa and Europe. He fought the Nazis. He received the Bronze Star and seven campaign ribbons. He was in the action. He did his job well. He commanded troops in combat.

At the ripe old age of 26 he comes back to South Carolina, but a 26-year-old back then is not like a 26-year-old

in normal times. I would argue that the 26-year-olds who come back from Iraq are going to be a little bit different, too. I can only imagine how war matures and ages you. It makes you able to put in perspective what is important. And his entire generation has had that perspective from the time they came back from the war and for the rest of their lives.

It was shown in Senator Thurmond's and Senator HOLLINGS's life. Both are World War II veterans. When he came back to South Carolina, he was elected to the House of Representatives at the age of 26. Shortly thereafter, he became Speaker pro tempore. So his colleagues saw in him something of a leader at an early age. They saw what the rest of South Carolina has seen for decades: Somebody who will speak their mind. You can be on the receiving end of speaking that mind—I have been on the receiving end—but he is fair. He has been tough on everybody. But people know he has a good heart. And he also has a good heart for South Carolina. That is why his colleagues put him at a young age in charge in the House.

In the *Brown v. Board of Education* litigation, one of the first cases that came about was the South Carolina case involving Clarendon County. Senator HOLLINGS participated in that case. It was a life-changing experience.

In 1953, he became Lieutenant Governor. In 1958, he was elected Governor, the youngest Governor in South Carolina history at that time. From 1959 to 1963, he was a young Governor who had served in World War II, participated in one of the greatest legal cases of our time, and he took that experience and changed my State for the better.

From 1959 to 1963, if you open up any history book, particularly in the South, these are tremendously troubling times. Social change is abounding. The old way of doing business is being challenged. People are fighting and sometimes dying throughout the South to bring about a new way of doing business.

I never will forget Senator HOLLINGS telling me about the court appearance in the Supreme Court when an African-American lawyer stood up and talked about fighting in the war, coming back home and being told to go to the back of the bus. And Senator HOLLINGS said, "that ended it for me. There was no way that I was going to be a voice for segregation." It hit him like a ton of bricks.

One of his best legacies for my State and the Nation and the power of the Governor from 1959 to 1963—no lives were lost in South Carolina—as he was leaving the office, there are all kinds of speeches going on in the South by Governors. Some people were standing in front of a schoolhouse and saying: You are not coming in; segregation now and segregation forever. Senator HOLLINGS said that in South Carolina we will be a government of laws, not men. He challenged my State to accept the in-

evitable. He challenged my State to respect the Supreme Court decision. He led the way to the successful integration of Clemson University in 1963.

The list goes on and on of what he has done to empower African Americans in South Carolina. He has been a champion for racial fairness his entire time. It is fashionable now. It is the politically correct thing to do now. But in 1963 it was not the politically correct thing to do in South Carolina or any other Southern State. But he chose the path less traveled. Our State is better off for it, and because of his leadership and others who followed, we were able to do things in South Carolina in a way of which we should all be proud. Hats off to you for that, Senator HOLLINGS.

During the time as Governor, he did some things economically that we have the benefit of today. Our technical school program, for those who are not familiar with South Carolina, is No. 1 in the Nation. If you are looking at doing business in South Carolina, we have a technical school system that will meet your needs. We will design a training program for your employees, specifically for your business. We have thousands of South Carolinians receiving college level education through our technical schools in an affordable manner. We have 16 colleges now, over 160 career programs and high-tech professionals who have made the Michelins, BMWs, and Fujis possible to come to our State. He is the father of that legislation.

If he had done nothing else, that would have been a great tribute, but there is a lot more that he has done. He created the South Carolina public broadcasting system, one of the best in the Nation, if not the best in the Nation. South Carolina ETV is known all over the world, really.

As a young Governor, he took the road less traveled; he invested in education in a new and different way that pays dividends today. That is something he should be proud of and I am proud of on his behalf.

In 1966, as a young man, he comes to the Senate. I don't have the time to read his legislative accomplishments because it would take most of the afternoon. It is fair to say that since Senator HOLLINGS has been in the Senate he has not let any grass grow under his feet. He has been one of the most proactive Senators I have ever known. Almost anything that has been done in South Carolina with Federal assistance has been as a result of his efforts and that of Senator Thurmond.

Primarily, Senator HOLLINGS has led the charge on the Appropriations Committee in making sure South Carolina was as well taken care of in terms of Federal Government assistance as humanly possible. You will be missed, Senator HOLLINGS.

I will have, along with Senator DeMint, a very tough act to follow. We will try our best. But the Senator has done some things that I don't think

most people know about but which have had a huge impact on who we are as a State and really the Nation.

The Coastal Zone Management Act of 1972 was Federal legislation for the first time addressing the coastal areas of the United States. In 1972, you were so far ahead of your time. The Coastal Zone Management Act allowed Senator HOLLINGS to be named Environmentalist of the Year by about every group in the Nation. Because of that act, we have come up with a plan to manage our coastline in terms of erosion.

The Senator has also contributed to the clean health of the ocean, in 1976, with the Ocean Dumping Act and the Maritime Transportation Act, a series of legislation that Senator HOLLINGS offered that has changed the way we treat our coastlines as a nation.

He probably has the most proactive environmental policy that we have had as a nation dealing with our coastal areas. It was a result of his efforts. Long after he is gone, the coastline of South Carolina and every other coast in the United States will be the beneficiary of his time in the Senate.

He was talking about deficits before it was fashionable. Gramm-Rudman-Hollings was an attempt in the 1980s to bring fiscal sanity to the Congress. By the time the 1990s came along, it becomes the way we campaign. About 10 years after his efforts—along with his colleagues, Senators Gramm and Rudman—it got to be the fashionable thing in politics to talk about not running up the debt.

Senator HOLLINGS was talking about the social integrity of Social Security before anyone else I have ever known. What are we talking about today? We are going to save Social Security. I hope we do. It would be wise to listen and learn from what he has been trying to instruct us to do.

The first national park and only national park in South Carolina happened a couple years ago, the Congaree Swamp. That will be a monument to a balance between development and the environment for the rest of the time that South Carolina exists, long after we are gone. The Congaree Swamp will be well taken care of.

There are so many things. The ACE Basin is probably one of the best monuments to our Creator. God has been good to South Carolina. When you travel through our State from the mountains to the sea, you will see some nature that is beyond description. From the mountains to the sea, Senator HOLLINGS has been integrally involved in preserving what God has given us. The ACE Basin is a project he helped fund that has saved some coastal areas and some waterways in South Carolina. The whole basin is a monument to the environment. We worked together preserving over 30,000 acres in perpetuity in South Carolina. The Congaree Swamp is in the middle.

As we look back over Senator HOLLINGS's time in the Senate, you can see

that he used his power in the Senate to make sure that future generations of South Carolinians would enjoy the things he has experienced as a young man. What better legacy to leave than a State that maintains its beauty.

He has been aggressive when it comes to changing the fabric of the education climate in South Carolina with technical schools. One thing he should be most proud of is the Hollings Cancer Institute at the Medical University of South Carolina. South Carolina has pockets of health care problems that are Third World in nature. One day we are going to conquer these problems, but we have a litany of health care problems in South Carolina. My mother died of Hodgkin's disease. The Hollings Cancer Institute and the Medical University of South Carolina is doing some research that will pay great dividends in the future in terms of conquering this disease called cancer.

My personal commitment to Senator HOLLINGS is that I will continue to build upon what the Senator has started. It is my hope that the National Cancer Institute will designate this and we will try our best to make sure this happens as a tribute to the Senator.

Again, I could go through legislative enactments, specific projects that have helped South Carolina, but I would like to end by saying that life is short. No matter how long it seems you have been around, it really is a small time in the scheme of things. South Carolina has enjoyed two long-serving Senators: Senator Thurmond and Senator HOLLINGS. Both will have departed the Senate come next January. Let it be said about Senator HOLLINGS that his time in the Senate will be felt by South Carolinians as long as there is a South Carolina. What the Senator has been able to do with the power entrusted to him by the people of South Carolina is to bring about a lot of good, Senator HOLLINGS. The Senator has made our State a better place to live. The Senator has preserved things that would have been lost without the Senator. The Senator has talked about the future in responsible terms. The Senator has served our Nation during peace and war. The Senator has served South Carolina and the Senate well.

I am honored to call you my senior Senator. It is my wish that you have many more years to help my State, help our State, and help our Nation. I hope that comes to pass.

As I try to go forward as a Senator from South Carolina, I hope I am smart enough to draw upon what you have done and look at the model you have created and build upon that model.

I am a Republican; Senator HOLLINGS is a Democrat. That means something, but it really does not mean that much because we are both Americans, and we both love South Carolina.

God bless, godspeed, and well done. I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The senior Senator from South Carolina.

FAREWELL

Mr. HOLLINGS. Mr. President, my distinguished colleague has been more than generous, and I thank him not just for today but for the years to come. I do so genuinely in the sense that his coming here as a Senator is like going over on the wall and turning on the lights. Here I had somebody diligently working to get things done. That is why I came to the Senate, to get things done for South Carolina. And Senator GRAHAM has not only worked hard—we all work hard; there is no lazy Senator in the 100 Senators—but he has that secret of making friends. After all, this is a political body, and you cannot get things done unless you make friends.

He instantly came to the Chamber and started working with Democratic Senators, which was a surprise to me. Things are so confrontational at the present time in politics, to see that occur, I said: That fellow is going to be here a long time. And I believe it. He is going to be here a long time.

Just this past week, he got on to my crusade of trying to get jobs and industry. He's following in the footsteps of, our distinguished former colleague, the senior Senator from Kentucky, Wendell Ford, who is on the floor and graces us. He makes me feel like old times when he was our whip, and no one, as chairman of the Rules Committee, did a better job. But LINDSEY GRAHAM went out of his way to get things done.

This past week he has been taking around ambassadors from various countries to prompt their interest in investing in South Carolina. As Governor, I started going on trips in 1960 to encourage businesses to move to South Carolina, and now we have 134 German industries in South Carolina. We have French Michelin, and we have Japanese Hitachi, Fuji, and others. Now, Senator GRAHAM is working the beat. He is a realist, and he knows how to get things done.

I cannot thank him enough for being already distinguished, not just because we gave him the title, but because I have heard from colleagues on both sides of the aisle: That fellow, LINDSEY GRAHAM, is really a fine fellow. He is working, and you really ought to be proud of him.

I address the distinguished Senator from South Carolina by saying that the only way I can show my gratitude is to make sure he gets this desk. I have the John C. Calhoun desk. You will laugh, Wendell. When I got here I told Senator Russell, I would like to have this desk. He said: Colleague, colleague, colleague—you know how he talked—I guess you would like to have this desk. My father sat at this desk, my mother sat at this desk, and I am sitting at this desk.

I said: Excuse me, I didn't know all three of them had been there.

He came to me the night before he left, and gave me the Calhoun desk, and I am going to make sure the Sergeant at Arms gets this desk to Senator GRAHAM.

This is my chance to thank my colleagues for putting up with me for 38 years. I thank the distinguished staff, not just my staff and the committee staff, but particularly this afternoon the floor staff, Marty and Lula and everybody else. We couldn't get anything done without their wonderful help. And I thank the poor reporters. If you can understand what I am saying—

(Laughter.)

They are always asking later, Mr. President: What did he say and how did he say it?

I will never forget politicking for President. I went up to Worcester, MA. I kept calling it Worcester. I knocked on the door and the lady said: Who are you?

I said: FRITZ HOLLINGS. She thought it was a German trucking company.

I do thank the reporters who have done an outstanding job for me over the many years.

I started my career as a trial lawyer, and I made enough as a good trial lawyer to afford to come to Washington and be in the United States Senate. Senators don't make enough money. You ought to double their pay, and I say that before leaving. I have said that along with TED STEVENS for years. No little young fledgling lawyer, such as HOLLINGS, can afford to run, keep up two homes, and everything else. It can't happen anymore. You all are just politically using the salary and not really attracting the best of the best.

I don't leave with the idea that the Senate is not what it used to be in the sense of personnel. We have a way better group of Senators. We had five drunks or six drunks when I came here. There is nobody drunk in the United States Senate. We don't have time to be drunk and, more than that, we have the women. We had one woman. She was outstanding, but she was outstandingly quiet. That was Margaret Chase Smith from Maine, a wonderful lady. Now we have 14, and you can't shut them up. They keep on talking and talking and talking. If you get into a debate with BARBARA MIKULSKI or BARBARA BOXER, they will take your head off, I can tell you that. They know how to present a viewpoint, and that is very valuable.

The Senators have done a wonderful job. The Senate itself is the greatest of institutions, but I know we can do better. As a trial lawyer, I was overjoyed. When I came here, we had the proceeding to learn the truth and we could hear the best of witnesses. I had better clients as a United States Senator, and obviously, I could make the final argument to the jury and then go in the jury room and vote. That, to me, is a trial lawyer. I had reached the ultimate.

Yet as I am leaving, I am very sensitive to the full docket of unfinished business. I am constantly being asked about legacy, legacy, legacy. I am thinking the things we ought to have done long ago and have not done because rather than seeking the truth—

and I say this advisedly—we have obscured it.

Take right now the issue that is going to confront us tomorrow afternoon or Thursday of raising the debt limit. I read the business page of the New York Times this morning. We are spending at the rate of \$600 billion more than we are taking in. That is a deficit. Don't give me this doubletalk of on-budget deficit, off-budget, or Government debt and public debt. We are spending \$600 billion more than we are taking in, which is 6 percent of our GNP.

In the European Union, if you exceed 3 percent of your gross national product, you are not eligible to be in the European Union. Here we are telling the world what they ought to do in diplomacy, international affairs, defense affairs, and fiscal affairs, and we would not even be eligible to be in the European Union.

We have, Mr. President, the economy on steroids. Add it up. Add up the deficit of 2001, 2002, 2003, and 2004—those 4 years—and you have \$1.7 trillion that we have goosed into the economy with these tax cuts. We have not increased spending on the war \$1.7 trillion. No, no. We have tax cut, tax cut, tax cut, and they still want more tax cuts. I am talking bipartisan because both sides are guilty. I am not talking in a partisan fashion.

We have to do something about that deficit. I was here when we balanced the budget without Social Security in 1968. President Clinton got the Government back into the black when Bush came in. But he turned a \$6 trillion projected surplus, to a \$5 trillion projected deficit, and now we have to increase the debt limit. Now the dollar is in a deep dive. Interest rates are going to have to go up. We are depending on financing our debt some \$700 billion by the Japanese, \$170 billion by the Chinese, and \$67 billion by Korea. Can you imagine going with a tin cup to Korea, begging: Please finance my debt because I need another tax cut?

What about Social Security? Let's tell the truth about it because there isn't any question that we have been spending Social Security moneys for any and everything but Social Security, in violation of the law.

And don't give me this thing about, oh, yeah, Lyndon Johnson used Social Security. He did not. Look at the record. He balanced it, and we did not spend Social Security moneys until the seventies when Wilbur Mills, the chairman of the Ways and Means Committee on the House side, started giving these inordinate COLAs. We started draining the fund.

We appointed the Greenspan Commission in 1983. The Greenspan Commission came out with an inordinately high tax to take care of the baby boomers in the next generation. Don't misunderstand me. They act like the baby boomers are coming along as a new problem. We foresaw that in 1983. We said, as a result of this high tax, do

not spend this money on anything but Social Security. I fought like a tiger, but we finally got it into law. On November 5, 1990, George Herbert Walker Bush signed into law section 13301 that says that the President and the Congress cannot use for budget purposes Social Security moneys.

I was talking a minute ago to my distinguished colleague from South Carolina. He is going to try, I guess, to raise taxes. I would support it so long as we are not raising taxes for anything and everything but Social Security.

You are going to have to increase the age. You are going to have to get some revenues to make it fiscally sound. But if we started immediately with the Social Security surplus going to just the Social Security trust fund, we immediately have \$160 billion, and with that \$160 billion in 7 years, we would have a trillion dollars and you wouldn't have to worry until 2045 or 2050, and there would not be any crisis. We ought to study that.

It is the same with trade. Everywhere in the land people cry: Free trade, free trade, free trade. There is no such thing; never has there been and never will there be free trade. I know about freer governmental restrictions, subsidies, and quotas, but that is not going to happen.

People ought to remember that we built this industrial giant and power, the United States of America, with protectionism. The Brits corresponded with the Founding Fathers, and they said: Under David Ricardo's comparative advantage, what needs to be done is we will trade with you what we produce best and you trade back with us what you produce best. Free trade, free trade, free trade.

Hamilton wrote the Report on Manufacturers. He said: Bug off, we are not going to remain your colony. We are going to maintain our own manufacturing capacity.

The second bill that ever passed this Congress in history, on July 4, 1789, was a 50-percent tariff on articles and we started with protectionism, linking the steel mills with protectionism. Roosevelt came in with protective subsidies on agriculture. Our friend, President Eisenhower, had import quotas on oil—protectionism. President Kennedy came in with a 7-point program to protect textiles. More recently, our good friend President Ronald Reagan, put in voluntary restraint agreements on automobiles, steel, handtools, and semiconductors.

Ask Andy Grove if he would have Intel today if President Reagan had not put in that protectionist measure. There would not be any Intel.

We did that with Sematech and everybody knows it. But we were treating trade as aid in the war of capitalism versus communism right after World War II. We had the only industry. So we sent over, with the Marshall Plan, money, experts, equipment, and we started giving away my textile industry—giving it away.

Right now 70 percent of the clothing I am looking at is imported; 86 percent of the shoes on the floor are imported. It is all gone. All that time they said: Don't worry. We are going to be a service economy.

My light bill in South Carolina is administered in Bangalore, India. So we have lost the service economy. We have lost the manufacturing economy and capacity.

What happens is your security is like a three-legged stool. You have the one leg, your values as a nation. Around the world we stand for individual freedom and democracy.

We have the second leg, unquestioned, as a superpower.

The third leg of the economy has been fractured intentionally and we are happy about it because capitalism has defeated communism in Europe, in the Soviet Union, and in the Pacific rim. And it is defeating it right now in China. Let's not disturb it and what have you, except to begin to compete. As Akio Morita says: That world power that loses its manufacturing capacity will cease to be a world power. What we need to do is to rebuild.

We can begin to immediately rebuild by changing the culture, the mindset, the legislation. Around here we passed, 4 weeks ago, a \$50 billion tax cut bill that was supposed to represent foreign credit sales. Instead, it subsidized the export of jobs, the outsourcing of jobs overseas.

We are still treating trade as aid. If you are going to open up Sununu Manufacturing, before you open the door you have to have a minimum wage, clean air, clean water, Social Security, Medicare, Medicaid, plant closing notice, parental leave, OSHA, a safe working place, safe machinery, and I can go all the way down. And in Manchester, NH, your competition has moved to China because they can operate and produce there for 58 cents an hour and none of those requirements. If you don't move to China yourself, you are going broke. You will go bankrupt.

The policy of the crowd that is hollering and wailing and moaning about the outsourcing of jobs is exactly the policy of the very crowd that is causing that outsourcing. If you head up a multinational, you are supposed to compete and make a profit. We are supposed to create a strong economy and produce jobs. The Congress of the United States, the Senate, we are the guilty parties. We have to put in a change of the culture. We need a Department of Trade and Commerce, and to put the Special Trade Representative over there and to do away with the International Trade Commission, because this is just a sop. The International Trade Administration—and not Commission should find the penalty rather than having that separate hearing and say there is no injury and everything else of that kind.

I have worked with the lawyers. We need a Deputy Attorney General for Trade in the Justice Department. We

have one for antitrust. We have one for civil rights. We have one for taxation. We don't have one for trade. We need somebody enforcing those laws. We need, by gosh, to turn around and start competing the way they have done. We need more customs and—but that is a long story.

Let me just say what we need to do is get ahold of ourselves and realize we have a problem.

I was at a meeting earlier today where one of the Senators was counseling the new Senators: Don't take too many committees. They are going to take all the committees. Our time has come. We want it all. So we want all the committees.

The rules ought to say a Senator should not be on any more than two committees. You can't keep up with it. I am on the Appropriations Committee. They used to have 17 members; now they have 29 members. You know, the Appropriations Subcommittee on Defense has 19 members. You can't hardly get a quorum for the Appropriations Subcommittee on Defense. We have a third of the Senate. Everybody wants to be on all the committees, so you have your staffs doing all the work, because you can't keep up.

But the main culprit, the cancer on the body politic, is money: Money, money, money. When I ran 6 years ago, in 1998, I raised \$8.5 million. That \$8.5 million is \$30,000 a week, every week, for 6 years. If you miss Christmas week, you miss New Years week, you are \$100,000 in the hole and don't you think we don't know it and we start to work harder at raising money.

As a result, the Senate doesn't work on Mondays and Fridays. We have longer holidays. The policy committee is adjourned and we go over to the campaign building because you can't call for money in the office. So we go over to the building and call for money and obviously we only can give attention to that. We don't have time for each other. We don't have time for constituents, except for the givers. Somebody ought to tell the truth about that.

Unless and until we excise this cancer, the Congress and Government is going to languish alone because it has to be done.

When I helped write the Federal Election Campaign Practices Act in 1973, we said each Senator would be limited to so much per registered voter. That meant that Strom Thurmond and I were limited to \$637,000. Fast forward 25 years, add in inflation, and give me \$2.5 million. Quadruple it, \$2.5 million but not \$8.5 or \$10 million that you have to spend because all your time is on the campaign and not the country. I can tell you right now we are in real, real trouble.

I worked with JOHN MCCAIN and RUSSELL FEINGOLD on the McCain-Feingold. I worked with Senator BIDEN on public finance. What really needs to be done, and I tried 20 years ago, is to put in a constitutional amendment that

Congress is hereby empowered to regulate or control spending in Federal elections. Then we can go back to the 1973 act: So much per registered voter. When you are limited to \$2.5 million, you have limited the campaign. You have limited the time of the campaign; you have limited the expenditures of the campaign. Then you have time for constituents. Then you have time for problems.

When I came here, Mike Mansfield would have a vote at 9 o'clock just about every Monday morning and we would work to Friday at 5 o'clock. We all stayed here on the weekends and we didn't have all of these long holidays we have now.

But if you want to limit campaigning and if you want to change—as Abe Lincoln said—disenthrall ourselves of the dogmas of the quiet past that are inadequate for the stormy present of money grubbing, then we have to think anew and act anew. We need to disenthrall ourselves from this money grubbing and go to work finally for the country instead of the campaign.

That is our situation. I have watched it. I have studied it. I have seen it. They don't have me going to meetings. They have me going to the telephone and calling and calling, traveling all over the country for money. Money is a cancer on the body politic.

Other than that, I have spoken seriously about trying to face up to some of these problems that we have confronting us. There are a lot of opportunities.

They are talking now about immigration. Mexico is not a foreign country. They are our neighbor. All you have to do is put down the billions that we spend: Give them a Marshall Plan, increase their standard of living just like Canada. Then you don't have immigration.

I can tell you right now, the money spent on immigration, drugs, and border patrol, and financing that government out of the banks in New York and then refinancing it on us taxpayers, we could have a Marshall Plan and solve the problem.

There are a lot of problems that we can solve. But if there is a last word, it is one of gratitude. This has been the finest experience I have ever had. When you come right down to it, I was always worried that I couldn't make enough money to stay in Washington. Now I have looked at my trial lawyer colleagues who made a lot of money. Most of them are dead. Those who are alive are looking for a new golf course and a new drink and they don't know anything about what is going on and they are not interested in anything going on. If you really want to be enriched in your life be a United States senator. The best postgraduate course is to run and be in this Senate.

It is with heartfelt gratitude I thank the colleagues for their indulgence this afternoon, particularly my colleague, Senator GRAHAM. We just have a fine time working together, and I know he

will be representing us in the Senate for years to come.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my understanding is that the vote is ordered for 5:15.

The PRESIDING OFFICER. Under the previous order, a vote will occur at 5:15.

FAREWELL

Mr. DORGAN. Mr. President, I wanted to come to the floor to say that this Senator is going to miss the booming voice and the southern drawl of the Senator from South Carolina who is one of a few who has relentlessly, over a long period of time, talked about the issue of international trade. He has talked about how it relates to our country's economy. Very few come to the floor to talk about the doctrine of comparative advantage and Adam Smith and the kind of things that I have had the privilege of hearing from Senator HOLLINGS.

As one who comes to the floor to talk about trade a lot, I am going to miss very much the work which has been done by Senator HOLLINGS and which he has been doing for so many years. He is absolutely right about these issues.

They will take a look at statements and say, well, he is a protectionist. I don't view Senator HOLLINGS as wanting to put up walls around this country. I think if the charge is that Senator HOLLINGS or I or others want to protect the economic interests of the United States, we ought to plead guilty quickly. That is why I am here and why he has served this country for so many decades. We want to protect the economic interests of this country.

I wanted to say, having heard the comments just offered by my colleague from South Carolina, how proud I am to have served with him. Being here when Senator HOLLINGS was here and when Senator BYRD has been here and a few others is a very special privilege for someone like myself.

Mr. HOLLINGS. Mr. President, will the distinguished Senator yield?

Mr. DORGAN. Of course, I yield.

Mr. HOLLINGS. I wanted to thank the distinguished Senator from North Dakota. He has been in the vanguard. He headed up our policy committee and we have learned more. I was on the original policy committee under Senator Mansfield. But it has been quite an education. He has really put the program so we can learn about the issues. I thank him for that. But I particularly want to commend him for his leadership on trade because he has been leading the way on that score. I thank him very much.

Mr. DORGAN. I thank my colleague from South Carolina and wish him well.

SINKING OF THE "LEOPOLDVILLE"

Mr. President, yesterday I was privileged to be at a very moving ceremony at the Tomb of the Unknown Soldier.

Very few people will know of this issue, but I want to mention it because yesterday was the commemoration of the 60th year of the sinking of the SS *Leopoldville*, a troopship that was sunk in the English Channel on Christmas Eve 1944 by a torpedo shot by a German U-boat. Seven-hundred and sixty-three young American soldiers died in the frigid waters of the English Channel on that Christmas Eve.

What was most interesting about this and in many ways the most tragic of this circumstance is that those young soldiers died in the waters of the English Channel, and virtually no one knew of them.

On Christmas Eve of 1944, at a critical period, during the Battle of the Bulge, the announcement that 763 young American soldiers had been killed would have been devastating to the psyche of the American public, according to the Defense Department. So the result was there was no news. This was an enormous tragedy that occurred with virtually no one knowing of it.

Yesterday, we placed a wreath at the Tomb of the Unknown Soldier. I was proud to have been a part of the ceremony. My uncle was on this ship and was killed when it sunk. I walked down the aisle to place the wreath with Tony Martinez, one of the survivors from that night, and with Lucy Ruggles, the widow of one of the fellows who was killed in that event. I believe 20 survivors from this ship were there yesterday at Fort Myers and at the Tomb of the Unknown Soldier, along with more than 100 family members and friends.

Let me say just a word about what happened.

The *Leopoldville* was a Belgium ship staffed by a Belgium crew. It was within 5 miles of the French coast. They could see the lights of the French coast when the German U-boat hit it with several torpedoes. Then this ship sank. There were 2,300 soldiers on this ship, and 763 of them died on Christmas Eve 1944.

There was no notice to anybody about the tragedy because the Americans, the English, the Belgians, the French, and others decided to keep it silent. Sixty years later, we know much more about it largely thanks to a book that was written, by Allan Andrade.

Let me say thanks to Carmella LaSpada, who is the Executive Director of the White House Commission on Remembrance, for putting together a program yesterday that was extraordinarily moving. At that program, we heard from the survivors of the *Leopoldville*. They told us that the Belgium crew in most cases didn't speak English. When the ship was torpedoed and began to sink, the Belgium crew

got in the life boats, and by and large the young American soldiers were stranded on that ship, and 763 of them died.

I was invited to be a speaker yesterday and to be at the Tomb of the Unknown Soldier as a part of the ceremony because my uncle, Allan Dorgan, was one of the casualties that evening.

I have known a lot about this in recent years because there has been a lot of investigation done.

I just wanted to say that yesterday was a very moving day with discussions and visits with those who survived this sinking, and also a tribute to the memory of those who perished in the sinking of the *Leopoldville*.

I hope America remembers that the young soldiers, 19, 20, 18, and 21 years of age who died that night in the frigid waters of the English Channel did not die in vain. They were patriots.

There is an old saying that when the night is full of knives, the lightning is seen, and the drums are heard, the patriots are always there ready to fight and die as necessary for their country. These 763 patriots died that evening, and the world didn't know it. But they know it now. Yesterday's ceremony was a tribute to their service to our great country.

I know we have a 5:15 vote. My colleague, I believe, wishes to speak. I wish to speak just for a moment about a trade issue. Might I ask my colleague how much time he needs?

Mr. BURNS. I will only require about 5 or 6 minutes.

Mr. DORGAN. Mr. President, I think as a courtesy to my colleague from Montana, I will not speak 5 or 6 minutes on trade. I will do that tomorrow because I think we have about 6 minutes before the vote.

But let me just say this in 1 minute.

TRADE

My colleague from South Carolina has talked about trade. I just got off the telephone talking with some workers. They are concerned about their jobs going to China.

We just passed a bill in Congress that continues to provide incentives for businesses to move their jobs to China. I think job one for us as we convene in a new Congress is to start deciding we need to stop the outsourcing of American manufacturing jobs. We especially ought to decide that in the Tax Code of this country we ought not reward companies that move American jobs overseas. That is an outrage. There is no one in Congress who ought to be voting for and supporting the rewarding of companies that move their American jobs elsewhere.

I will come to the floor of the Senate tomorrow to talk more about what is happening with our manufacturing base that I think injures this country in an irrevocable way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Thank you, Mr. President. I want to thank my colleague

from North Dakota for yielding. It will not take me long to make this statement.

(The remarks of Mr. BURNS pertaining to the introduction of S. 2987 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the vote now occurs on the nomination.

Mr. BURNS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Francis J. Harvey, of California, to be Secretary of the Army? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. McCONNELL. The following Members were necessarily absent from today's session of the Senate:

The Senator from Pennsylvania (Mr. SANTORUM).

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Louisiana (Mr. BREAUX) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 212 Ex.]

YEAS—85

Alexander	Dorgan	Lugar
Allard	Edwards	McCain
Allen	Ensign	McConnell
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Bingaman	Fitzgerald	Nelson (FL)
Bond	Frist	Nelson (NE)
Boxer	Graham (FL)	Nickles
Brownback	Graham (SC)	Pryor
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Sarbanes
Cantwell	Hatch	Schumer
Chafee	Hollings	Sessions
Chambliss	Hutchison	Shelby
Clinton	Inhofe	Smith
Cochran	Inouye	Snowe
Coleman	Jeffords	Specter
Collins	Johnson	Stevens
Conrad	Kerry	Sununu
Cornyn	Kohl	Talent
Craig	Kyl	Thomas
Crapo	Landrieu	Voinovich
Dayton	Leahy	Warner
DeWine	Lieberman	Wyden
Dole	Lincoln	
Domenici	Lott	

NAYS—12

Akaka	Dodd	Levin
Carper	Durbin	Mikulski
Corzine	Kennedy	Reed
Daschle	Lautenberg	Stabenow

NOT VOTING—3

Biden	Breaux	Santorum
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

Mr. WARNER. I move to reconsider the vote and I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREE TRADE AGREEMENT WITH THE UNITED ARAB EMIRATES

Mr. STEVENS. Mr. President, I ask unanimous consent that the attached correspondence from the Executive Office of the President be printed in today's RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, THE UNITED STATES TRADE REPRESENTATIVE,

Washington, DC, November 15, 2004.

Hon. TED STEVENS,
President Pro Tempore, U.S. Senate,
Washington, DC.

DEAR SENATOR STEVENS: In accordance with section 2104(a)(1) of the Trade Act of 2002 (the Trade Act), and pursuant to authority delegated to me by the President, I am pleased to notify the Congress that the President intends to initiate negotiations for a free trade agreement (FTA) with the United Arab Emirates (UAE). We expect these negotiations to get underway in the beginning of 2005, and we will be consulting closely with the Congress over the next 90 days, as required by the Trade Act.

An FTA with the UAE will promote the President's initiative to advance economic reforms and openness in the Middle East and the Persian Gulf, moving us closer to the creation of a Middle East Free Trade Area. A U.S.-UAE agreement will build on the FTAs that we already have with Israel, Jordan, and Morocco, as well as the FTA that we recently have signed with Bahrain, and will encourage the six members of the Gulf Cooperation Council (GCC) to adopt standards that promote trade and investment. In 2003, the UAE had \$4.6 billion in two-way trade with the United States, and the United States had a \$2.4 billion trade surplus with the UAE. The UAE is an important strategic partner on a broad array of foreign and national security issues.

This FTA will directly benefit the United States. By reducing and eliminating barriers to trade, a comprehensive FTA with the UAE will generate export opportunities for U.S. companies, farmers, and ranchers, help create jobs in the United States, and help American consumers save money while offering them more choices. The UAE already pro-

vides an attractive market for U.S. products, and is a regional transportation and business hub in the Gulf and the Middle East. The UAE's Jebel Ali port is the third busiest port in the world, with excellent growth opportunities. In 2003, U.S. businesses exported \$3.5 billion worth of products in such areas as machinery, aircraft, vehicles, electrical machinery, and optical and medical instruments. Agriculture exports from the United States totaled \$259 million during the same period. The United States' trade relationship with the UAE is the third largest in the Middle East, behind only Israel and Saudi Arabia.

An FTA will provide new export opportunities for U.S. services firms in sectors such as telecommunications, finance, distribution, energy, construction, engineering, health care, legal services, accounting, tourism and travel, and environmental services. An FTA will also support the UAE's commitment to transparency, openness, and the rule of law, thereby enhancing respect for intellectual property, labor rights, and environmental protection. An FTA will also allow the United States to work more closely with UAE customs and port authorities that manage Jebel Ali and other transshipment points, an important opportunity for cooperation similar to that provided by our FTA with Singapore and the agreement we are negotiating with Panama.

Last year, the UAE entered into a Trade and Investment Framework Agreement (TIFA) with the United States. Since signing the TIFA, the UAE has demonstrated a serious commitment to free trade. It has become a party to the World Intellectual Property Organization (WIPO) Copyright Treaty, and has pledged to join the Information Technology Agreement (ITA) and the WIPO Performances and Phonograms Treaty.

Our initial consultations with the Congress, including with the Congressional Oversight Group on September 8, 2004, indicate broad bipartisan interest in an FTA with the UAE. Following these consultations, I visited the UAE to discuss with top officials the topics covered in our comprehensive FTAs, to identify particular areas for work, and to assess the UAE's commitment to moving forward with an FTA. I came back with a strong sense of the UAE's interest in connecting the FTA to their plans for development, growth and openness. The UAE interest in an FTA also complements The 9/11 Commission Report recommendation urging the United States to expand trade with the Middle East as a way to "encourage development, more open societies, and opportunities for people to improve the lives of their families."

Through our FTAs in the Middle East, the United States is supporting moderate Islamic countries led by modernizers who are promoting openness and economic growth. Supporting countries such as the UAE as they expand their trading and investment relationships with the United States is a concrete and mutually beneficial way for the American people to enhance opportunity and hope in this critical region.

The Administration will continue to work closely with the Congress, including through the consultation, notification, and reporting procedures in the Trade Act. Moreover, to ensure that interested stakeholders are informed and have ample opportunity to provide their views, the Administration will conduct the negotiations in a transparent and accessible manner.

The specific objectives for negotiations with the UAE are as follows:

TRADE IN GOODS

Seek to eliminate tariffs and other duties and charges on trade between the UAE and